

Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424
Phone (585) 394-1120 • Fax (585) 394-9476

Planning Board Decision Notification

Meeting Date: September 10, 2019

Project: CPN-19-059

Applicant

John Casey
3796 County Road 16
Canandaigua, NY 14424

Owners

John Casey
3796 County Road 16
Canandaigua, NY
14424

Project Type

Single-Stage Site Plan

Project Location

3814 County
Road 16

Tax Map #

112.00-1-72.00

TYPE OF APPLICATION:

- ☐ Preliminary ☐ Final Phased ☒ One/Single Stage
☐ Subdivision ☒ Site Plan ☐ Special Use Permit

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

- ☐ Type I ☐ Type II ☒ Unlisted

☒ See Attached resolution(s):

Applicant Request:

- ☒ Granted ☐ Denied ☐ Tabled

☐ Continued to:

☒ See attached resolution(s)

Negative Declaration Date: **SEPTEMBER 10, 2019**

Positive Declaration Date:

Recommendation To:

- ☐ Town Board ☐ ZBA ☐ N/A

Recommendation:

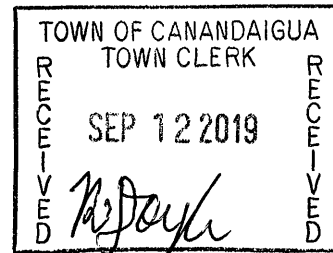
- ☐ See attached resolution(s)

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE
ON THE FINAL PLAN BY: 3/10/20
YOU ARE RESPONSIBLE FOR REQUESTING AN
EXTENSION PRIOR TO THIS EXPIRATION DATE IF
THIS REQUIREMENT CANNOT BE MET.

Surety Requirements:

- ☐ Landscaping: \$ ☐ Soil Erosion: \$
☐ Other (specify): \$

Surety Release:



Certified By:

Chairperson, Planning Board

Date:

9-12-19

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MEAGHER ENGINEERING REPRESENTING JOHN CASEY
SHORELINE RECONSTRUCTION
3814 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 059-19 TM# 112.00-1-72.000
SINGLE-STAGE SITE PLAN APPROVAL

SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval to construct a rip-rap shoreline and to bring in earth and stone fill to raise the grade of the shoreline within the RLD zoning district and detailed on plans dated August 15, 2019, last revised August 15, 2019 and all other relevant information submitted as of September 10, 2019 (the current application); and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the applicant on the above referenced subdivision application (hereinafter referred to as Action); and

WHEREAS, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Short EAF Part 1; and

WHEREAS, the Planning Board has completed Part 2 and Part 3 of the Short EAF; and

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

BE IT FURTHER RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;

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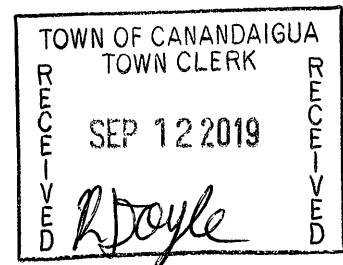
- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vi) there will not be any hazard created to human health;
- (vii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (viii) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xi) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board's determination.

The above resolution was offered by RYAN STAYCHOCK and seconded by THOMAS SCHWARTZ at a meeting of the Planning Board held on Tuesday, September 10, 2019. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes – *Aye*
Charles Oyler - *Aye*
Karen Blazey – *Aye*
Ryan Staychock – *Aye*
Thomas Schwartz - *Aye*



(5-0) Motion carried.

I, John Robortella, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the September 10, 2019 meeting.

John Robortella L. S.
John Robortella, Secretary of the Board

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SINGLE-STAGE SITE PLAN APPROVAL

SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval to construct a rip-rap shoreline and to bring in earth and stone fill to raise the grade of the shoreline within the RLD zoning district and detailed on plans dated August 15, 2019, last revised August 15, 2019 and all other relevant information submitted as of September 10, 2019 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed site plan in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR); and

WHEREAS, the Planning Board has determined the proposed action to be an Unlisted action and subject to a single agency review pursuant to Part 617.6(b)(4) of the SEQR Regulations; and

WHEREAS, on September 10, 2019 the Planning Board, serving as lead agency, made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR; and

WHEREAS, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office; and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby ☐ **Approves without Conditions**; ☒ **Approves with the following Conditions**; or ☐ **Denies the application for the following reasons**:

1. Site Plan Approval with conditions specified herein is valid for a period of 180 days from today. Once all conditions of Site Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the Site Plans.
2. All comments from the Town Engineer letter dated September 5, 2019 are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
3. Prior to the issuance of a Certificate of Completion an approval from the Ontario County DPW (if necessary) is to be provided to the Town of Canandaigua Town Development Office.
4. A soil stabilization and erosion control surety estimate is to be prepared by the applicant and provided to the Town Development Office for review and processing in accordance with Local Law 19 of 2017 Amending Chapter 174, Section 174-32(F).
5. The site plans are to be revised to correct and update the Tax Map Id labeled for the proposed parcel.

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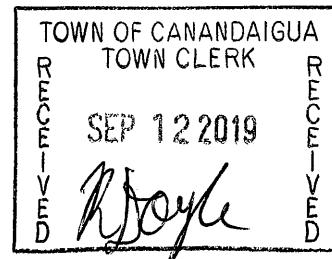
The above resolution was offered by KAREN BLAZEY and seconded by CHARLES OYLER at a meeting of the Planning Board held on Tuesday, September 10, 2019. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes – *Aye*
Charles Oyler - *Aye*
Karen Blazey – *Aye*
Ryan Staychock – *Aye*
Thomas Schwartz - *Aye*

(5-0) Motion carried.

I, John Robortella, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the September 10, 2019 meeting.

John Robortella L. S.
John Robortella, Secretary of the Board



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SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board has received an application for Single-Stage Site Plan approval to construct a rip-rap shoreline and to bring in earth and stone fill to raise the grade of the shoreline within the RLD zoning district.
2. Detailed on site plans prepared by Meagher Engineering dated August 15, 2019 and all other relevant information submitted as of September 10, 2019.
3. The Planning Board has classified the project as an Unlisted Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations.
4. On September 10, 2019 the Planning Board, serving as lead agency, made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR.
5. This application was forwarded to the following outside agencies for review:
 - John Berry, Canandaigua Lake County Sewer District
 - MRB Group, Town Engineer
 - ENB
 - Luke Scannell, Environmental Engineer, NYSDEC
 - Kevin Olvany, Canandaigua Lake Watershed Council
6. A Zoning Determination was prepared dated August 26, 2019:

DETERMINATION:

- Proposed development is of sufficient area and dimension to meet minimum requirements for zoning and building purposes within the RLD zoning district.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board as it relates to a site plan involving a single-family residential lot. Exception #09.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval required for development exceeding 1,000 square feet within the Residential Lake Zoning District.

7. A comment letter from the Town Engineer dated September 5, 2019 was received.
8. Comments were received from Town Environmental Board dated September 5, 2019.
9. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
10. A Floodplain Development Permit is required. An application was provided dated July 22, 2019.
11. A NYSDEC Excavation & Fill in Navigable Waters Permit (Article 15, Title 5) was received.