

April 15, 2021

Zoning Board of Appeals and Planning Board
Town of Canandaigua
5440 Route 5 & 20 West
Canandaigua, NY 14424

**Re: 3844 West Lake Road (County Road 16) Site Improvements
Compliance with the Shoreline Development Guidelines**

Dear ZBA and Planning Board:

We submit the following comments to the ZBA and Planning Board in reply to the ECB comments (*in italics*) we received from the Town Development Office:

Summary of key points:

1. *“Applicant indicates that this change is proposed to address confusion around deliveries (the property has a CR16 address), and snow removal issues.”*

Please refer to our Appendix to the ZBA Area Variance Application for a fuller articulation of the reasons the applicant requests the second point of access variance.

2. *“Drainage is to a stone lined swale on the south side of the driveway, presumably piped at the east end under the remaining paver path and into the CR16 ditch. No drainage details or measures to mitigate the additional runoff are included in the site plan.”*

The design of the driveway will utilize the existing stone lined swale in order to capture the additional sheet flow, dissipating energy and allowing stormwater to take its natural path. We have no concerns that the increased impervious area will compromise the existing swale. However, the applicant is willing to install a small drainage structure which would discharge to the existing swale along CR16.

Environmental concerns:

1. *“This is a large lot and the site will be in compliance with the lot coverage requirements, but the ECB questions the appropriateness of adding another accessory structure on top of the existing attached and detached garages and non-conforming shed of 341 sq. ft. (all on the west side of County Rd 16).”*

As to the appropriateness of granting the variance for the second accessory structure, please refer to the Appendix to the ZBA Area Variance Application demonstrating the benefit to the applicant, and the lack of any detriment to the health, safety and welfare of the neighborhood or community, if the requested variance is granted.

2. *“The two large dock and hoist structures will give a congested appearance to the site from the lake side, and the lack of trees on the lakefront part of the lot is at odds with the intent of the lakeshore guidelines.”*

A second dock requires administrative review, only, and is not a part of this application.

This application is geared toward enhancing the shoreline. The proposed accessory structure has been located with setbacks in mind, and its placement allows for the furthest distance from the shoreline. The architecture and chosen materials for the exterior of the accessory structure will complement the existing primary structure, creating a harmonious appearance. A multi-tiered landscape plan has been developed to soften the appearance of the proposed structure and shoreline.

Additionally, the top of the existing retaining wall is an existing 3-4' hedge, buffering the view of CR16 from the lake, and the shoreline will be enhanced with natural stone that will provide protection from further erosion.

2. *“No provisions are made to mitigate the additional runoff from the expanded driveway footprint.”*

The design of the driveway will utilize the existing stone lined swale in order to capture the additional sheet flow while also dissipating energy and allowing stormwater to take its natural path. We have no concerns that the increased impervious area will compromise the existing swale. However, the applicant is willing to install a small drainage structure which would discharge to the existing swale along CR16.

Recommendation:

With respect to the ECB's recommendation, we note as follows:

No overbuilding is proposed. As the ECB noted, the site will be in compliance with the lot coverage requirements. As noted above, a second dock is not a part of this application, but is permitted by code with administrative review. We again refer to the Appendix to the ZBA Area Variance Application for the second accessory structure, demonstrating the benefit to the applicant, and the lack of any detriment to the health, safety and welfare of the neighborhood or community, if the requested

variance is granted. A smaller dropoff or parking space at road level would not provide to the applicant the benefits sought by the second point of access as explained in the variance application, which benefits are not outweighed by any detriment to the neighborhood or community. Runoff has been addressed and the applicant is not in a position to provide the prior owner's reasons why the driveway was previously removed. We do not believe the ECB's comments provide any basis for denial of the second point of access variance.

Thank you,

COSTICH ENGINEERING, D.P.C.



Evan R. Gefell, RLA