

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: SCHUTT, ROGER L. & KATHLEEN A.

PROPERTY ADDRESS: 4526 COUNTY ROAD 16

TAX MAP NUMBER: 140.07-1-5.100

ZONING DISTRICT: R-1-30

DETERMINATION REFERENCE:

- Application for One Stage Site Plan, dated 02/13/2020. Received for review by Town on 02/14/2020.
- Application for Soil Erosion and Sediment Control Permit, dated 02/14/2020. Received for review by Town on 02/14/2020.
- Application for New Structure/Addition Building Permit, dated 02/21/2020. Received for review by Town on 02/14/2020.
- Plans titled, "Site Plan: Schutt Residence" by Venezia Land Surveyors and Civil Engineers, dated 02/13/2020, no revisions noted, received by the town on 02/21/2020.
- Planning Board Decision, dated 10/22/2019, filed with Town Clerk 10/24/2019.

PROJECT DESCRIPTION:

- Applicant proposes to construct a new, single-family dwelling on a vacant parcel.

DETERMINATION:

- Applicant SHALL complete subdivision process prior to permits being issued.
- Proposed development is of sufficient area and dimension to meet minimum requirements for zoning and building purposes within the R-1-30 zoning district.
- Proposed development disturbs 3,000 sq. ft. of steep slope area and SHALL comply with the Town of Canandaigua Steep Slopes Law, including;
 - o Any development proposed in a steep slope protection area shall be designed to work with the natural elements of the site, locating the proposed improvements in such a manner as to minimize land disturbance, cut and fill operations, tree removal, and alterations to natural drainage. The applicant must provide the Development Office with documentation that the improvements were designed to fit the existing natural elements of the site, rather than making the site fit the development goals of the landowner as part of the site plan review process. In any project with cut and fill operations, the applicant shall prove to the Planning Board that there was no other alternative to cut and fill to develop the site and that cut and fill has been minimized. The Town of Canandaigua Development Office will provide steep slope site illustration examples to applicants.
 - o The natural elevation shall not be raised or lowered more than three feet within the required setback for structures.
 - o Any new or existing retaining wall higher than three feet above finished elevation incorporated into the proposed project design requires the evaluation of a New York professional engineer as to its structural integrity and written direction and certification as to its use.
 - o Rolled erosion control products shall be used to temporarily stabilize slopes that are equal to or greater than 1:3 (vertical: horizontal).
- The Planning Board may approve modifications to these standards if the applicant can prove that such modifications would result in less total site disturbance and/or less change to the natural grade than would compliance with these standards and that such modifications meet the intent of this chapter to the greatest extent possible.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

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

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval is required for development of a new single-family dwelling on an undeveloped or vacant parcel.
- Planning Board Site Plan approval is required for land disturbance of 500 square feet or greater within a steep slope protection area that is within 2,000 feet horizontal distance from the mean high water mark of Canandaigua Lake.

CODE SECTIONS: Chapter §1-17; §165; §174; §220-8; §220-9; §220-17; §220-64; §220a Sch. 1
Zoning Schedule

DATE: 2/26/2020

BY: Kyle Ritts
Kyle Ritts- Zoning Inspector

CPN- 20-006

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder
Property File
Property Owner
Town Clerk

