

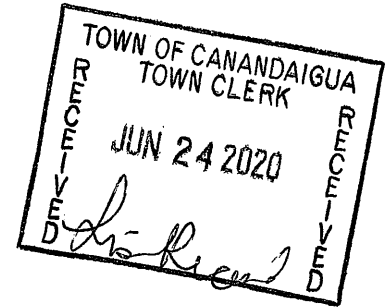
Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: 4645 WESTLAKE LLC
PROPERTY ADDRESS: 4645 Co Rd 16
TAX MAP NUMBER: 140.11-1-10.000
ZONING DISTRICT: RLD



DETERMINATION REFERENCE:

- Application for One Stage Site Plan, dated 06/09/2020. Received for review by Town on 06/10/2020.
- Application for Soil Erosion and Sediment Control Permit, dated 06/10/2020. Received for review by Town on 06/10/2020.
- Application for New Structure, dated 06/09/2020. Received for review by Town on 06/10/2020.
- Application for Site Development, dated 06/09/2020. Received for review by Town on 06/10/2020
- Plans titled "Site Plans for The Hess Residence" by Marathon Engineering, dated 06/10/2020, revised on 06/19/2020, received by the town on 06/19/2020.
- Certificate of Nonconformity, dated 06/24/2020, received by the Town Clerk on 06/24/2020.

PROJECT DESCRIPTION:

- Applicant proposes to tear down existing dwelling and construct a new dwelling with associated improvements.

DETERMINATION:

- Proposed dwelling has a 41.80 ft. rear setback when 60 ft. is required. Pre-Existing Non-Conforming dwelling has a 28.30 ft. rear setback.
- Proposed accessory building is 20.92 ft. from the mean high-water mark when 25 ft. is required. Pre-Existing Non-Conforming building has a 9.5 ft. setback.
- Changes to pre-existing non-conformities that reduce the degree of nonconformance shall be allowed.
- Proposed development disturbs greater than 500 sq. ft. of steep slope area within 2,000 ft. of Canandaigua Lake and SHALL comply with 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 Changes to the natural elevation of a steep slope development site shall be minimized. Any changes to the natural elevation of the site shall meet the following criteria:
 - The original, natural elevation of a steep slope protection area shall not be raised and/or lowered more than five feet on average across a contiguous area of 2,500 square feet of grading and shall not exceed 10 feet in any location in the steep slope protection area.
 - o The Planning Board may approve modifications to these standards in § 220-8E 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 relates to Site Plan for a Single-Family Residence. Exception #09

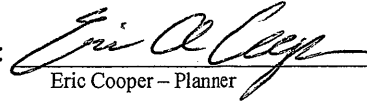
REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval required for development in the Residential Lake District which exceeds 1,000 square feet.

CODE SECTIONS: Chapter §1-17; §220-8; §220-9; §220-21; §220-64; §220a Sch.1 Zoning Schedule

DATE: June 24, 2020

BY:


Eric Cooper – Planner

CPN- 20-038

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 Owner
Town Clerk

