

Environmental concerns:

- Location of the structure and fill material used for foundation are located within the 100-foot watercourse setback. The watercourse is identified as a NYSDEC Class C stream.
- Mitigation of storm water runoff from proposed structure. Applicant noted that rainwater would be collected and directed to lower portion of property. Concentrated discharge of the storm water may increase erosion into stream.
- The property is identified in the scenic viewsheds of the Open Space Master Plan.
- The property is in the Strategic Forest Protection Area.

Recommendation:

- In general, the ECB encourages the Planning Board and Town to adhere to the watercourse setbacks. As noted in the Open Space Master Plan, streams classified as Class "C" support fisheries and non-contact recreational activities. The stream located at the property is more notable as it is a tributary to Menteth Gully; the only identified trout stream in the Town of Canandaigua.
- ECB strongly encourages soil erosion control during any construction activities at the lot, due to the site soils and sensitive lands. In addition, the applicant should revisit the storm water mitigation plan for the structure to reduce potential erosion issues at the site and to avoid any future stream contamination from vehicle-related runoff.
- ECB suggests that the applicant undertake a robust professional landscaping program to stabilize the sloped sides of the filled area to the east and south of the proposed building, and to develop a dense vegetative buffer of trees and shrubs at least 10' wide to stabilize the banks of the stream in the section affected by the construction. The DEC Trees for Tribs program (free trees and shrubs) may be helpful in this regard.

CPN-21-021 Futerman 4799 County Road 16 - area variances for removal of existing cottage and replacement with a new home and related accessory structures**Summary of key points:**

- This property has been purchased by a neighboring owner for development of family cottage. The two parcels share a common driveway and a steep sloped access. The existing parcel at 10,716 sq. ft. and 117 feet of width is below the required lot size of 20,000 sq. ft. and 125' of width.
- The northern edge of the site is a sloped stream bed (mostly on the neighboring property to the north), partially channelized with concrete walls in the area of the existing cottage. This stream is most likely subject to intermittent flooding.

- The existing septic system location is undetermined, and no proposed design for a new system is included in the application, which only deals with the required area variances for setbacks and building/lot coverage, not site plan review.
- Replacement/enlargement of an existing garage and construction of a storage building in the lakeshore area are also proposed, requiring setback variances in both cases.
- Property has potential historical significance as a surviving late 19th or early 20th century cottage. It is a candidate for documentation prior to demolition, with owner's permission.

Variances requested are:

- Applicant is requesting a primary dwelling side setback areas variance of 3.2' (6.8' instead of 10').
- Applicant is requesting a primary dwelling rear (lake – Mean High Water) setback area variance of 4.7' (25.3' instead of 30').
- Applicant is requesting a detached garage side setback area variance of 8.0' (garage).
- Applicant is requesting an accessory structure side setback area variance of 0.7' (shed).
- Applicant is requesting an accessory structure side setback area variance of 2.4' (shed).
- Applicant is requesting a lot coverage area variance of 5.3% (35.3% instead of 30%).

Environmental concerns:

- The site is small and the undeveloped portions of the site are steeply sloped, and provision of a suitable on-site septic system for the proposed home will be challenging.
- The proposed design pulls the primary dwelling away from the stream and increases the side setback in that direction, which is positive. Nevertheless, approval of a setback variance in a location where periodic flooding can be expected during heavy storm events seems inadvisable. For a site adjacent to a flood-prone stream, it would appear prudent to maintain a distance from the stream bank rim well in excess of the 10' required side setback.
- As a general rule, ECB recommends strict adherence to the maximum lot coverage requirement of 30%. Site development with lot coverage in excess of 30% promotes excessive runoff and erosion, especially on steeply sloped sites, and related degradation of lake water quality. The proposed project could be brought into compliance with the lot coverage standard by reducing the sizes of the proposed buildings and/or by reducing the amount of paved driveway surface area, or substituting permeable pavement materials. Despite the small size of the lot and the challenges of the terrain, there is ample room to create a usable cottage of modest size on this parcel, and the need for a lot coverage variance is driven by the applicant's desire for structures larger than the lot can support within the confines of its zoning laws.

Recommendation:

- ECB recommends that any variances granted be made conditional upon the development of a septic system design approved by the State Health Department.

- ECB recommends denial of the side setbacks for both the principal residence and the shed due to the likelihood of erosion and potential flood damage to this and possibly the adjacent property to the north. The rear setback for the garage appears to be less problematic due to its height above the stream, but the steep bank there may eventually be undermined by the stream; a shift of the garage away from the stream would also be advisable.
- ECB recommends denial of the lot coverage variance and encourages the applicant to consider a redesign adhering to the Town's standards.

CPN-21-028 **Venezia & Associates, 336 N. Main Street, Canandaigua, N.Y. 14424; representing Analog Properties LLC (Chuck and Kate Vasilus), 1 South Nevada Avenue, Colorado Springs, Colorado 80903; owners of property at 3439 West Lake Boulevard**

Summary of key points:

- Requesting an Area Variance for stream setback and requesting a Single-Stage Site Plan approval for construction of a new single-family residence.
- Proposed development is within 34.9 feet of stream when 100-foot setback is required.
- The parcel is currently undeveloped with many large mature trees throughout the area.
- Current site plan identifies a lot coverage of 24.8% (maximum lot coverage is 25%).
- The applicant and neighboring property will be restoring the shared stream corridor as part of the project.

Environmental concerns:

- The watercourse is identified as a NYSDEC Class C stream.
- Site plan notes that 60,000 ft² of the total 71, 700 ft² lot are planned to be disturbed (84%).
- A large portion of the lot coverage is traditional asphalt driveway (7,496 ft²) and hardscaping (1,860 ft²).
- Several mature trees will be removed during the development of the property.

Recommendation:

- In general, the ECB encourages the Planning Board and Town to adhere to the watercourse setbacks provided in the Town code.
- Although the stream is identified as a NYSDEC Class C stream, its current condition is less than ideal having been channelized with a vertical block wall and with little vegetation. The planned stream corridor restoration/rehabilitation is appreciated. The applicant should verify the classification of the watercourse prior to restoration to comply with NYS/USACE (if they have not done so yet).