

# 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: October 26, 2021**

**Project: CPN-21-073**

**Applicant**

McMahon LaRue  
Associates P.C.  
822 Holt Road  
Webster, NY 14580

**Owners**

Eli and Peggy  
Futerman  
220 Esplanade Drive  
Rochester, NY 14610

**Project Type**

Single-Stage Site  
Plan

**Project Location**

4799 County  
Road 16

**Tax Map #**

140.14-1-20.00  
140.14-1-21.00

**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:

Positive Declaration Date:

**Recommendation To:**

- ☐ Town Board    ☐ ZBA    ☐ N/A    ☐ See attached resolution(s)

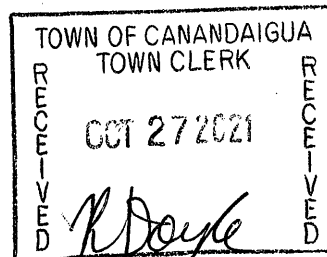
Recommendation:

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO  
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE  
ON THE FINAL PLAN BY: 4/24/2022  
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: 10/27/21

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
MCMAHON LARUE ASSOCIATES, P.C. REPRESENTING ELI & PEGGY FUTERMAN  
44799 COUNTY ROAD 16 – RLD ZONING DISTRICT  
CPN 21-073 – TM# 140.14-1-20.000 & 21.000  
SINGLE-STAGE SITE PLAN APPROVAL

**SEQR RESOLUTION – TYPE II ACTION**

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single-Stage Site Plan Approval for the demolition of an existing house and garage, and construction of a new single family residence and garage, and associated site improvements within the RLD zoning district, as shown on the Single-Stage Site Plan titled “Futerman Parcel” prepared by McMahon LaRue Associates, P.C., dated September 2021, last revised September 15, 2021, and all other relevant information submitted as of October 26, 2021 (the current application); and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

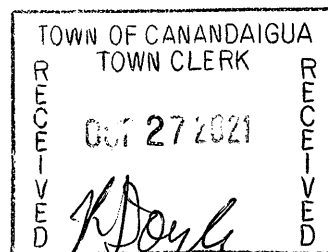
**BE IT FINALLY RESOLVED THAT**, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Charles Oyler and seconded by Gary Humes at a meeting of the Planning Board held on Tuesday, October 26, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -	AYE
Charles Oyler -	AYE
Ryan Staychock -	AYE
Bob Lacourse –	EXCUSED
Amanda VanLaeken -	AYE

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 October 26, 2021 meeting.

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



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**SINGLE STAGE SITE PLAN APPROVAL RESOLUTION**

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single-Stage Site Plan Approval for the demolition of an existing house and garage, and construction of a new single family residence and garage, and associated site improvements within the RLD zoning district, as shown on the Single-Stage Site Plan titled “Futerman Parcel” prepared by McMahon LaRue Associates, P.C., dated September 2021, last revised September 15, 2021, and all other relevant information submitted as of October 26, 2021 (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 classified the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**WHEREAS**, the applicant requested variances from the ZBA which were granted at the June 1, 2021 meeting; 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. A Site Development Building Permit application is to be completed and provided to the Town of Canandaigua Development Office prior to the Planning Board Chairman’s signature being affixed to the site plans.
3. 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).
4. The comments within the Town Engineer’s letter are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
5. The Town Water & Sewer Superintendent’s comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
6. The proposed Lot-Line Adjustment Plan is to be filed with the County Clerk’s Office and Town Clerk prior to signatures being affixed to the site plans.

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**SINGLE STAGE SITE PLAN APPROVAL RESOLUTION**

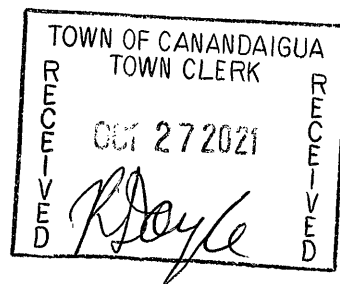
7. The site plans are to be revised to identify temporary construction safety fencing to be provided along the limits of disturbance boundary between the project area and the stream location. This is to remain during construction. A note is to be added to the plans.
8. The site plans are to be revised to provide additional landscaping along the lakeside of the property as discussed at the October 26, 2021 Planning Board meeting to the satisfaction of the Planning Board Chairman and Staff prior to signatures being affixed to the plans.

The above resolution was offered by Amanda VanLaeken and seconded by Ryan Staychock at a meeting of the Planning Board held on Tuesday, October 26, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -	AYE
Charles Oyler -	AYE
Ryan Staychock -	AYE
Bob Lacourse --	EXCUSED
Amanda VanLaeken -	AYE

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 October 26, 2021 meeting.

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



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**FINDINGS**

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for the demolition of an existing house and garage, and construction of a new single family residence and garage, and associated site improvements within the RLD zoning district.
2. The project is detailed on Single-Stage Site Plan titled “Futerman Parcel” prepared by McMahon LaRue Associates, P.C., dated September 2021, last revised September 15, 2021, and all other relevant information submitted as of October 26, 2021.
3. The Planning Board has classified the project as a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations. Type II Actions are not subject to further review under Part 617 of the SEQR Regulations.
4. In making this classification the Planning Board has satisfied the procedural requirements under SEQR and directed the Resolution to be placed in the file on this project.
5. A Zoning Law Determination was prepared dated September 21, 2021:

**DETERMINATION:**

- Applicant is requesting a lot-line adjustment for Lots 1 and 2 (to be reviewed internally by Development Office).
- Proposed improvements are permitted, with Planning Board approval, within the RLD Zoning District.

**REFERRAL TO PLANNING BOARD FOR:**

- Site plan approval is required for development in the Residential Lake District which exceeds 1,000 square feet or such thresholds as would require a permit to be issued pursuant to Chapter 165, Soil Erosion and Sedimentation Control.

**CODE SECTIONS:** Chapters §1-17; §220; §220-64; §165

6. This application was referred to the following agencies for review and comment:
  - Tyler Ohle, Watershed Inspector
  - Chris Jensen, Town CEO
  - Town Environmental Conservation Board
  - James Fletcher, Town Highway and Water Superintendent
  - MRB Group
  - Kevin Olvany, Canandaigua Lake Watershed Council
7. No comments were received from Tyler Ohle, Watershed Inspector.
8. No comments were received from Chris Jensen, Town CEO.
9. No comments were received from the Town ECB.
10. Comments were received from MRB Group in a letter dated October 19, 2021.

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**FINDINGS**

11. Comments were received from Jim Fletcher, Town Highway and Water Superintendent on September 14, 2021, and September 30, 2021:

**CPN-21-073 4799 County Road 16**

1. Before home is remove the water meter needs to be remove and the water turned off at the curb stop at the road.
2. Will the property have a basement? If not, the water meter must be in a location that is accessible to town employees.
3. A pressure reduce valve will be required after the water meter.
4. Will the new water service be a one-inch CTS 200? If so a ¾ by 1-inch compression coupling will be needed after the curb stop to connect to it.
5. Will irrigation be installed? If so an engineered plan will have to be submitted to the NYS Dept of Health and the town of Canandaigua for approval.

**App # CPN-21-073 Futerma**

1. What is the purpose of two 1.5-inch water services?
  2. Is the developer asking to tap the water main twice with a 1.5-inch saddle? Nothing it spelled out all I see is new service for 4799
  3. It appears that they may use the existing curb stop for one of the water services. Is this correct?
  4. Is the developer asking to have two water meters that are 1.5 inch?
  5. Water meter must be accessible to the town of Canandaigua water department. No crawl spaces or stuck in a utility room that is not sized correctly for the water meter.
  6. A pressure reducing valve will be required for each service line
  7. If an irrigation system is installed a back flow device will need to be engineered and approved by the NYS DOH and the town of Canandaigua.
  8. There are no details on sheet four in regards to the water service specifications found in our town site development.
  9. The sanitary sewer and public water are crossing over each other. Show the elevation between the sewer and water. A minimum of 18 inch of separation is required.
  10. On sheet 2 one note spells out 1.5-inch water service and another note say 1 inch water service. Which is it?
  11. The one water service going to the house closest to the lake appears to be connecting to the new water service to the old water service. Are they both 1.5 inch and if not why run 1.5-inch water service to it?
12. No comments were received from Kevin Olvany, Canandaigua Lake Watershed Council.
13. The Planning Board has considered all comments as part of their review of the application.
14. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate to be provided prior to the issuance of building permits.
15. The Planning Board thoroughly discussed the Shoreline Development Guidelines with the applicant.