

According to OnCOR, a portion of the southern frontage of the property is in the floodplain and the center portion of the site has areas of 16 to 30, 31 to 60 and over 60 percent slope.

**Policy AR 5 Applications involving one single family residential site, including home occupations.**

**Part B Development of Lakefront Parcels.**

The following applies to all development on parcels with lake frontage that require;

- variances pertaining to lot coverage or,
- variances pertaining to side yard setbacks or,
- variance pertaining to lake shore setbacks

The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification: 2**

**Findings:**

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation: Denial**

**Comments**

1. When reviewing the site plan for this site, the referring body should consider compliance with the town's shoreline development guidelines intended to maintain a natural appearance at the lake's edge, reduce erosion, provide habitat, and screen views from the lake to development.

12 - 2019	Town of Canandaigua Planning Board	Class: AR 1
Referral Type:	Site Plan	
Applicant:	McMahon, Greg	
Property Owner:	Futerman, Eli & Peggy	
Tax Map No(s):	140.14-1-21.000	
Brief Description:	Site plan for lakeside addition at 4803 CR 16 in the Town of Canandaigua.	

The CPB previously conducted an administrative review of an application for 6 variances for this project in December 2018 as referral 203-2018. Administrative review policy 5B directs a recommendation for disapproval of variances involving side or lake setbacks variances as required for this project.

The current referral is for the site plan. Since the previous referral, the site plan has been revised to include infiltration trenches. The local planning board will only act on the site plan if variances have been received from the zoning board of appeals. Once variances have been approved, the site plan is considered to conform to local regulations and is subject to Administrative Review Policy 5C not 5B. Policy 5C assigns the referral as class 1. No recommendations are made on class 1 referrals.

**Policy AR-5: Applications involving one single family residential site, including home occupations.**

The intent of this policy is to:

- Address residential development that may infringe on County ROW's or easements for roads and other infrastructure.
  - Address traffic safety along intermunicipal corridors by encouraging proper placement of residential driveways along County roads.
  - Address impacts to ground and surface waters
- C. Applications subject to policy AR-5 and not involving lakefront lots with coverage, or side or lakefront setback variances or with encroachments on County right-of-ways.

**Final Classification:** Class 1

**Findings:**

1. One-and two-family residential uses represent 63% of the 49,354 parcels on the 2017 Ontario County assessment roll. Between 2012 and 2017 1,067 single family residential parcels were added and 13 two-family were removed. These parcels represent 89% of all parcels added county-wide.
2. Collectively individual residential developments have significant impacts on surface and ground water.
3. Proper design off on-site sewage disposal is needed to protect ground and surface waters.
4. Proper storm water and erosion control is also needed to achieve that same end.
5. Proper sight distance at access points along County roads is an important public safety issue of county wide significance.
6. Standards related to protecting water quality and traffic safety have been established by agencies such as the American Association of State Highway and Transportation Officials (AASHTO), and NYSEDC.
7. These issues can be addressed by consulting appropriate agencies during local review and ensuring that those standards are met

**Final Recommendation** – With the exception of applications involving lakefront properties or encroachments to County owned right-of-ways described in AR Policy 5 Parts A and B, the CPB will make no formal recommendation to deny or approve applications involving one single family residential site, including home occupations.

**Comment** The applicant and referring agency are strongly encouraged to involve the Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

13 - 2019	Town of Canandaigua Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Sorgi, Peter	
Property Owner:	Summit PPX 911 LP	
Tax Map No(s):	98.15-1-1.100	
Brief Description:	Area variance for construction of stone concrete retaining wall and stairs within 25' of the mean high water elevation of Canandaigua Lake at 3400 Poplar Beach Road in the Town of Canandaigua.	

The referral is for an area variance to allow construction of a stone/concrete wall and stairs within 25' of the mean high water elevation of Canandaigua Lake. The area variance would legalize a retaining wall built in 2015. Submitted documentation indicates the retaining wall involves 125 cubic yards of material, at least 9 cubic yards of which is imported fill in a floodplain.

The Town of Canandaigua also has shoreline development guidelines that encourage retention of natural vegetation and use of riprap along shorelines to maintain the natural appearance of the lake's edge, reduce erosion, provide habitat, and screen views from the lake to development.

According to OnCOR, the portion of the lot between the lake shore and the house has a slope of 4 to 9% and is in the floodplain. On-site soils are Rhinebeck silty clay loam. Soil characteristics are as follows: