

# 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: September 13, 2022**

**Project: CPN-22-051**

**Applicant**

Marathon Engineering  
c/o Lucas Bushen  
39 Cascade Drive  
Rochester, NY 14614

**Owners**

Theodore L. Shepard  
and Lauren A. Burke  
5005 County Road 16  
Canandaigua, NY  
14424

**Project Type**

Single-Stage Site  
Plan

**Project Location**

5007 and 5009  
County Road 16

**Tax Map #**

154.09-1-21.000  
154.09-1-22.000

**TYPE OF APPLICATION:**

- ☐ Preliminary    ☐ Final Phased    ☒ One/Single Stage  
☐ Subdivision    ☒ Site Plan    ☐ Special Use Permit

Applicant Request:

- ☐ Granted    ☐ Denied    ☐ Tabled

☒ Continued to: **OCTOBER 25, 2022**

☒ See attached resolution(s)

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):**

- ☐ Type I    ☐ Type II    ☐ Unlisted

☐ See Attached resolution(s):

Negative Declaration Date:

Positive Declaration Date:

CANANDAIGUA TOWN CLERK

SEP 15 2022

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**Recommendation To:**

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

Recommendation:

**Surety Requirements:**

- ☐ Landscaping: \$  
☐ Other (specify): \$

☐ Soil Erosion: \$  
THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO  
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE  
ON THE FINAL PLAN BY: 9/14/22  
YOU ARE RESPONSIBLE FOR REQUESTING AN  
EXTENSION PRIOR TO THIS EXPIRATION DATE IF  
THIS REQUIREMENT CANNOT BE MET.

**Surety Release:**

Certified By:

  
Chairperson, Planning Board

Date:

9/14/22

SCANNED

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
MARATHON ENGINEERING REPRESENTING  
THEODORE L. SHEPARD & LAUREEN A. BURKE  
5007 & 5009 COUNTY ROAD 16 – RLD ZONING DISTRICT  
CPN 22-051 – TM# 154.09-1-21.000 & 154.09-1-22.000  
SINGLE-STAGE SITE PLAN APPROVAL

**CONTINUATION 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 two existing small cottages, construction of a new single-family residence, on-site wastewater treatment system, and associated site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Marathon Engineering, dated July 1, 2022, last revised July 27, 2022 and all other relevant information submitted as of September 13, 2022 (the current application); and

**WHEREAS**, the Planning Board during its review of the application at their meeting on August 24, 2022, identified a potential need for a setback variance from a stream, as a stream is located off site within the required setback of 100' from a structure; and

**WHEREAS**, the Town Code Enforcement Officer and Town Planner completed a review of the application and made a determination on the need for a setback variance from stream; and

**WHEREAS**, the variance application is scheduled for the October 18, 2022 ZBA meeting; and

**WHEREAS**, the Planning Board cannot take action on the site plans until all required variances are obtained; and

**WHEREAS**, according to the Town of Canandaigua Town Code "failure to comply with any condition or restriction imposed by the Planning Board in granting any site plan approval, special use permit, or subdivision approval shall constitute a violation. Such violation may constitute the basis for revocation of the approval or permit, or for imposing penalties and other applicable remedies against the property owner or other offending parties."

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to continue the application to their October 25, 2022 Planning Board Meeting.

The above resolution was offered by Amanda VanLaeken and seconded by Scott Neal at a meeting of the Planning Board held on Tuesday, September 13, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

Mark Tolbert -	<i>AYE</i>
Scott Neal -	<i>AYE</i>
Amanda VanLaeken -	<i>AYE</i>
Charles Oyler -	<i>AYE</i>
Bob Lacourse -	<i>ABSENT</i>

**CANANDAIGUA TOWN CLERK**

**SEP 15 2022**

**RECEIVED**

HC

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 September 13, 2022 meeting.

  
\_\_\_\_\_  
John Robortella, Secretary of the Board

L. S.

**SCANNED**