

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
THORNTON ENGINEERING REPRESENTING FRONTENAC HOLDINGS, LLC  
2121 STATE ROUTE 332 – CC ZONING DISTRICT  
CPN 21-074 – TM#56.00-1-57.000  
SINGLE STAGE SITE PLAN APPROVAL

**SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION**

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single Stage Site Plan Approval for construction of approximately 10,210 sq. ft. of new asphalt pavement for boat display purposes and associated improvements within the CC zoning district, as shown on the Site Plan titled “Boat Display Expansion” prepared by Thornton Engineering, LLP dated September 2021, last January 27, 2022 and all other relevant information submitted as of February 22, 2022 (the current application); and

**WHEREAS**, the Planning Board has reviewed the Short Environmental Assessment Form Part 1, prepared by the applicant on the above referenced Site Plan application (hereinafter referred to as Action); and

**WHEREAS**, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

**WHEREAS**, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

**WHEREAS**, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form Part 1; and

**WHEREAS**, the Planning Board has completed Part 2 and Part 3 of the Short Environmental Assessment Form; and

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

**BE IT FURTHER RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;

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- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) the site is not located within an identified archaeological sensitive area;
- (vi) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (ix) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED**, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

**BE IT FINALLY RESOLVED**, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board's determination.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, February 22, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

Mark Tolbert -  
Charles Oyler -  
Scott Neal -  
Bob Lacourse -  
Amanda VanLaeken -

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**SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION**

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 February 22, 2022 meeting.

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

Project: CPN-21-074 Frontenac Holding

Date: February 22, 2022

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### ***Short Environmental Assessment Form***

#### ***Part 3 Determination of Significance***

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Planning Board, as the designated lead agency for this Action, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Action. Based upon this evaluation, the Planning Board, in a separate resolution adopted on February 22, 2022 as determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Canandaigua Planning Board

February 22, 2022

Name of Lead Agency

Date

Charles Oyler

Planning Board Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Lance S. Brabant - MRB Group

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

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SINGLE STAGE SITE PLAN APPROVAL

**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 construction of approximately 10,210 sq. ft. of new asphalt pavement for boat display purposes and associated improvements within the CC zoning district, as shown on the Site Plan titled “Boat Display Expansion” prepared by Thornton Engineering, LLP dated September 2021, last January 27, 2022 and all other relevant information submitted as of February 22, 2022 (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 has determined the proposed action to be an Unlisted action and subject to a single agency review pursuant to Part 617.6(b)(4) of the SEQR Regulations; and

**WHEREAS**, on February 22, 2022 the Planning Board made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR; and

**WHEREAS**, the Planning Board received a request for a waiver to reduce the required State Route 332 landscaping buffer from 20’ in width to 10’ in width and was granted by the Planning Board.

**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. 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.
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. 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 final site plans.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, February 22, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

Charles Oyler -  
Mark Tolbert -  
Scott Neal -  
Bob Lacourse –  
Amanda VanLaeken -

## SINGLE-STAGE SITE PLAN APPROVAL RESOLUTION

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

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

**FINDINGS**

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for construction of approximately 10,210 sq. ft. of new asphalt pavement for boat display purposes and associated improvements within the CC zoning district.
2. The project is detailed on Single-Stage Site Plan titled “Boat Display Expansion” prepared by Thornton Engineering, LLP dated September 2021, last revised January 27, 2022 and all other relevant information submitted as of February 22, 2022.
3. The Planning Board has classified the project as an Unlisted Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations.
4. On February 22, 2022 the Planning Board made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR.
5. A Zoning Law Determination was prepared dated September 21, 2021:

**DETERMINATION:**

- New vehicles sales are a principally permitted use within the CC zoning district.
- Proposed development is of sufficient area and dimension to meet minimum requirements for zoning and building purposes within the CC zoning district.

**REFERRAL TO PLANNING BOARD FOR:**

- Site plan approval is Planning Board Site Plan approval required for development which exceeds 1,000 square feet in the CC Zoning District.

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

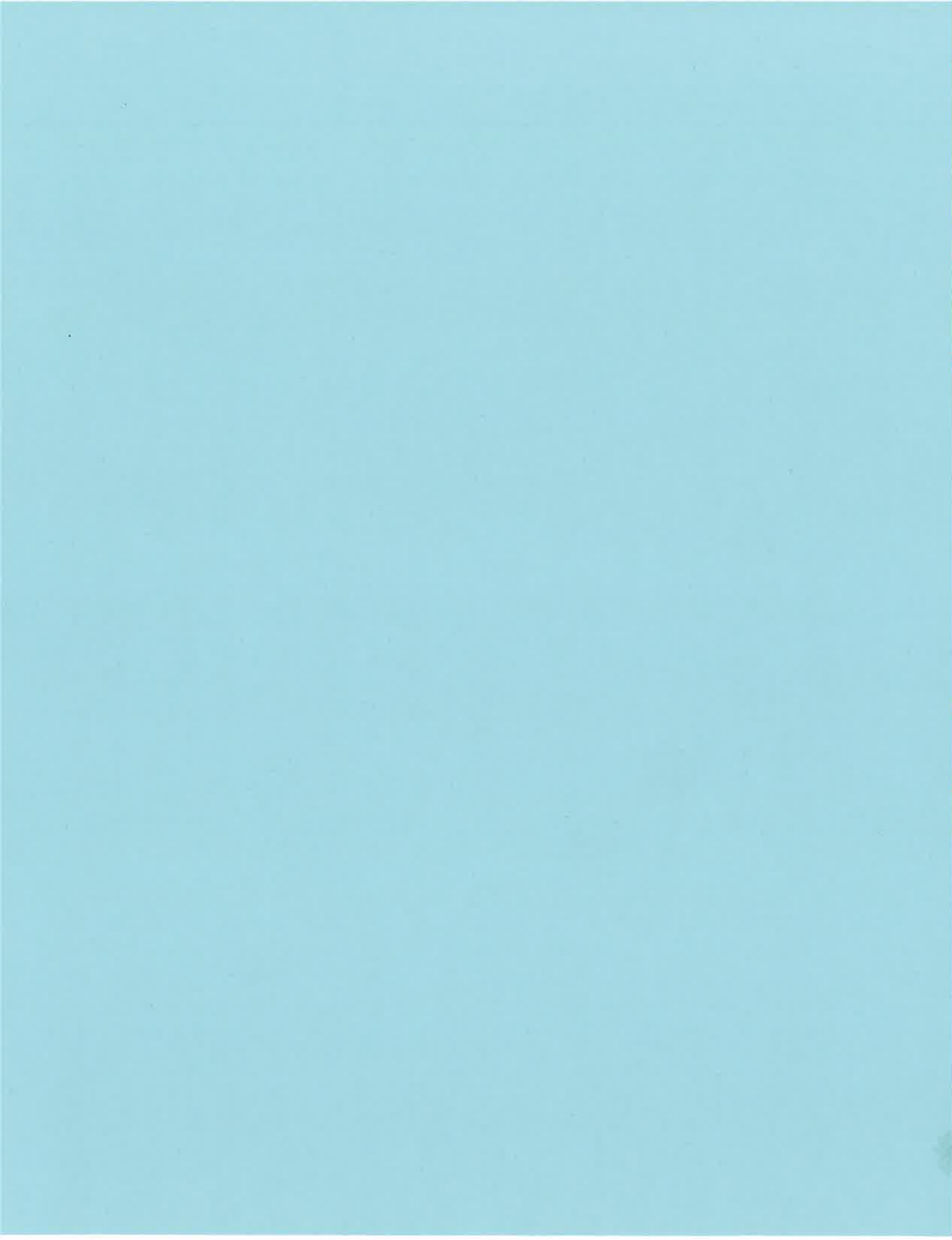
6. This application was referred to the following agencies for review and comment:
  - Chris Jensen, Town CEO
  - MRB Group
  - Ontario County Planning Board
  - Jim Fletcher, Highway & Water Superintendent
7. No comments were received from Chris Jensen, Town CEO.
8. Comments were received from MRB Group in a letter dated October 19, 2021.
9. Comments were received from the Town Highway & Water Superintendent dated September 14, 2021.
10. Ontario County Planning Board classified the actions as Class 1s and provided no comments.
11. The Planning Board has considered all comments as part of their review of the application.
12. The Applicant submitted a request a waiver to reduce the required landscaped buffer along the State Route 332 frontage from 20’ in width to 10’ in width and it was granted by the Planning Board at their meeting on February 22, 2022.



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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

**FINDINGS**

13. 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.



**TOWN OF CANANDAIGUA PLANNING BOARD  
ACTION RESOLUTION – SURETY RELEASE**

**APPLICANT(S): TERRI & HAROLD BOBRY**

**PROJECT NAME – BOBRY RESIDENCE – 4789 COUNTY ROAD 16**

**EROSION & SEDIMENT CONTROL SURETY RELEASE NO. 1 (FINAL)**

**CPN No. 20-063**

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has received a completed and signed Town of Canandaigua Surety Release Form signed describing the items involved with the subject Release No. 1 (final) of the Surety for this project; and

**WHEREAS**, the Planning Board has considered the requested Release No. 1 and the amount of funds associated therewith; and

**WHEREAS**, the Planning Board is satisfied with the details described in the requested Release No. 1 documents referenced above herein.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby approve of the requested Release No. 1 (final) in the amount of \$2,418.20 and for the items specified on said documents.

**BE IT FURTHER RESOLVED** that the Planning Board Chairperson is hereby directed to sign and date the Town of Canandaigua Surety Release Form and transmits said documents along with a copy of this resolution to the Town Supervisor for processing the release of the amount specified in said documents.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, February 22, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

Charles Oyler -

Mark Tolbert -

Scott Neal -

Bob Lacourse –

Amanda VanLaeken -

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 February 22, 2022 meeting.

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

L. S.