

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING LARRY WERGES
4963 WATERS EDGE DRIVE – RLD ZONING DISTRICT
CPN 20-024 TM# 98.09-1-20.100
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 a Single-Stage Site Plan approval for the tear down of an existing structure and the construction of a new single-family dwelling located at 4963 Waters Edge Drive within the RLD Zoning District and detailed on site plans dated April 8, 2020, last revised June 4, 2020 prepared by Marks Engineers, and Landscaping Renderings prepared by New Energy Works dated June 9, 2020 and all other relevant information submitted as of June 9, 2020 (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 _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 9, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -
Charles Oyler -
Ryan Staychock -
Karen Blazey –
Bob Lacourse –
(ALT) 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 June 9, 2020 meeting.

John Robortella, Secretary of the Board

L. S.

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FINDINGS

1. The Town of Canandaigua Planning Board has received an application for Single-Stage Site Plan approval for the tear down of an existing structure and the construction of a new single-family dwelling located at 4963 Waters Edge Drive within the RLD Zoning District.
2. Detailed on site plans dated April 8, 2020, last revised June 4, 2020 prepared by Marks Engineers, and Landscaping Renderings prepared by New Energy Works dated June 9, 2020 and all other relevant information submitted as of June 9, 2020 (the current application).
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. This application was forwarded to the following outside agencies for review:
 - Canandaigua Lake County Sewer District
 - Town Historian
 - Code Enforcement Officer
 - Town ECB
 - Highway & Water Superintendent
 - MRB Group
 - Ontario County PB
 - Cheshire Fire Dept.
 - Canandaigua Lake Watershed Council
6. A zoning Determination was prepared dated April 22, 2020:

DETERMINATION:

- Proposed lot coverage to be 44.5% when maximum permitted is 30%.
- Proposed building coverage to be 25.1% when maximum permitted is 20%.
- Proposed dwelling to have a 35 ft. front setback (West right-of-way) when required front setback shall be no less than 55 ft.
- Proposed dwelling to have 10.10 ft. front setback (South right-of-way) when required front yard setback shall be no less than 55 ft. Preexisting nonconforming dwelling has a front setback of 6.97 ft.
- Changes to preexisting nonconformities that reduce the degree of nonconformance shall be allowed.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to multiple variance requests within 500 ft. of the right-of-way of a recreation area (Canandaigua Lake).

REFERRAL TO ZONING BOARD OF APPEALS FOR:

- Application received for a 14.5% lot coverage area variance.
- Application received for a 5.1% building coverage area variance.
- Application received for a 20 ft. primary structure front setback area variance.

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FINDINGS

7. The requested area variances for the proposed lot coverage 44.5 %, building coverage of 25.1%, front setback of 35 ft. from the west R.O.W. and 10.10 ft. from the south R.O.W. were granted by the ZBA at their meeting on May 19, 2020.
8. Comments were received from the Town Engineer in a letter dated May 18, 2020.
9. Comments were received from the Town Highway & Water Superintendent in a letter dated April 27, 2020.
 1. Where will the water meter be inside the home?
 2. Connection of the water service must go back to the curb stop.
 3. A pressure reducing valve must be installed after the water meter.
 4. Put the detail of the water service requirements on the plans.
 5. Contact the town when operating the curb stop and inspections of the water service.
10. A letter was received from the Town Historian dated May 5, 2020. He had no comments.
11. A letter was received from the OC DPW stating that they had no comments.
12. The ECB offer the following:

ECB Comments: The ECB recommends compliance with the Shoreline Development Guidelines with additional landscaping to be determined by the Planning Board. The ECB also recommends the use of permeable paving material on the driveway to reduce runoff and its damaging effect on water quality.
13. Ontario County PB offered the following:

Final Recommendation: Denial

Comment The proposed drainage swale to the north of the house is very close to the neighboring property. 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.
14. No comments were received from Canandaigua Lake Watershed Council.
15. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
16. 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.

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SINGLE-STAGE SITE PLAN APPROVAL

SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for the tear down of an existing structure and the construction of a new single-family dwelling located at 4963 Waters Edge Drive within the RLD Zoning District and detailed on site plans dated April 8, 2020, last revised June 4, 2020 prepared by Marks Engineers, and Landscaping Renderings prepared by New Energy Works dated June 9, 2020 and all other relevant information submitted as of June 9, 2020 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed development in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQRA), 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 requested area variances were granted by the ZBA at their meeting on May 19, 2020 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 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).
3. The comments within the Town Engineers letter dated May 18, 2020 are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
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.
5. All variances approved by the ZBA are to be detailed on the site plans.
6. A Water Service Application is to be completed and provided to the Town of Canandaigua Water Department prior to issuance of Building Permits.
7. Prior to the issuance of a C/O an approval from the Canandaigua Lake County Sewer District regarding their review of the sanitary sewer design and lateral connection is to be provided to the Town of Canandaigua.

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SITE PLAN APPROVAL RESOLUTION

8. All comments from the Town Water Superintendent in the review letter dated April 27, 2020 are to be addressed to the satisfaction of the Town Water Superintendent prior to signing by the Planning Board Chairman.
9. The site plans are to be revised to adjust the location of the proposed silt fence in a manner that would protect the existing trees.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 9, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -
Charles Oyler -
Ryan Staychock -
Karen Blazey –
Bob Lacourse –
(ALT) 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 June 9, 2020 meeting.

John Robortella, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
SAMUEL CASELLA - 4-LOT SUBDIVISION
4047 & 0000 WOOLHOUSE ROAD – AR-2 ZONING DISTRICT
CPN 20-027 TM# 111.00-1-31.100 & 111.00-1-29.113
SINGLE-STAGE SUBDIVISION PLAN APPROVAL

SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Subdivision Plan approval for a four (4) lot subdivision, subdividing a 43.6 Acre and 14.7 acre parent parcels to create Lot #1 at 6.5 Acres, Lot #2 at 37.1 Acres, Lot #3 at 12.6 Acres, and Lot #4 at 2.1 Acres within the AR-2 zoning district and detailed on Subdivision Plans prepared by Freeland-Parrinello Land Surveyors, last revised May 18, 2020 and all other relevant information submitted as of June 9, 2020 (the current application); and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the applicant on the above referenced subdivision 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 EAF Part 1; and

WHEREAS, the Planning Board has completed Part 2 and Part 3 of the Short EAF; 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;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;

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SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vi) there will not be any hazard created to human health;
- (vii) 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;
- (viii) 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;
- (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (x) 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
- (xi) 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, June 9, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -
Charles Oyler -
Ryan Staychock -
Karen Blazey –
Bob Lacourse –
(ALT) 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 June 9, 2020 meeting.

L. S.
John Robortella, Secretary of the Board

Project:

Date:

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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

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.

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.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
SAMUEL CASELLA - 4-LOT SUBDIVISION
4047 & 0000 WOOLHOUSE ROAD – AR-2 ZONING DISTRICT
CPN 20-027 TM# 111.00-1-31.100 & 111.00-1-29.113
SINGLE-STAGE SUBDIVISION PLAN APPROVAL

SINGLE-STAGE SUBDIVISION PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Subdivision Plan approval for a four (4) lot subdivision, subdividing a 43.6 Acre and 14.7 acre parent parcels to create Lot #1 at 6.5 Acres, Lot #2 at 37.1 Acres, Lot #3 at 12.6 Acres, and Lot #4 at 2.1 Acres within the AR-2 zoning district and detailed on Subdivision Plans prepared by Freeland-Parrinello Land Surveyors, last revised May 18, 2020 and all other relevant information submitted as of June 9, 2020 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed subdivision in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR); and

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

WHEREAS, on June 9, 2020 the Planning Board, serving as lead agency, made a determination of significance and filed a negative declaration thereby concluding review pursuant to SEQR; 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. Subdivision Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Subdivision Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
2. A note is to be added to the subdivision plan stating no new development is proposed on lots #1, #2, #3, and #4, and lots #1, #2, #3, and #4 are not approved “build-able” lots at this time, requiring Site Plan approval from the Town of Canandaigua Planning Board prior to development occurring on the lots.
3. A note shall be added to the subdivision plans that a perc test has not been conducted for the proposed new lots #1, #2, #3, and #4 and that the proposed new lots shall not be considered as “buildable” lots until satisfactory perc tests have been completed and forwarded to the Town Development Office.
4. Payment of a fee in lieu of a set aside of parkland shall be made at the time of issuance of a building permit pursuant to Town Code Chapter 111 and NYS Town Law for lots #1, #2, #3, and #4.
5. A Conservation Subdivision waiver from the requirements dated _____ was requested by the applicant and approved by the Planning Board.

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SINGLE-STAGE SUBDIVISION PLAN APPROVAL

SINGLE-STAGE SUBDIVISION PLAN APPROVAL RESOLUTION

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 9, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -
Charles Oyler -
Ryan Staychock -
Karen Blazey –
Bob Lacourse –
(ALT) 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 June 9, 2020 meeting.

John Robortella, Secretary of the Board

L. S.

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SINGLE-STAGE SUBDIVISION PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board is considering Single Stage Subdivision Plan approval for a four (4) lot subdivision, subdividing a 43.6 Acre and 14.7 acre parent parcels to create Lot #1 at 6.5 Acres, Lot #2 at 37.1 Acres, Lot #3 at 12.6 Acres, and Lot #4 at 2.1 Acres within the AR-2 zoning district.
2. The project is located on 4047 Woolhouse Road and detailed on Subdivision Plans prepared by Freeland-Parrinello Land Surveyors, last revised May 18, 2020 and all other relevant information submitted as of June 9, 2020.
3. Proposed Lot #1 will remain vacant.
4. Proposed Lot #3 will remain vacant.
5. Proposed Lot #4 will remain vacant.
6. Proposed Lot #2 will include the existing framed barns (2) and silos.
7. No improvements are proposed at this time.
8. This is an Unlisted Action under SEQR and does not require coordination. A Short Environmental Assessment Form (EAF) Part 1 was completed by the Applicant.
9. The EAF Part 2 and Part 3 were completed by the Planning Board.
10. The Planning Board declared themselves as lead agency and made a SEQR Determination of Significance and issued a Negative Declaration at the June 9, 2020 Board meeting, concluding SEQR.
11. Zoning Law Determination was prepared dated May 21, 2020:

DETERMINATION:

- Proposed development is of sufficient area and dimension to meet minimum requirements for zoning and building purposes.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board as it relates to subdivision of land into two lots that meet all applicable local municipal code requirements.
Exception #11

REFERRAL TO PLANNING BOARD FOR:

- Plats for all proposed subdivisions shall be filed with the Planning Board for approval.

12. The application was referred to the following;

- ECB
- Town Agricultural Advisory Board
- Highway & Water Superintendent

13. No comments were received.

14. The Planning Board has considered all documents and comments received as part of their review of the application.

15. A waiver from the Conservation Subdivision Requirements was received from the applicant dated _____.

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FINDINGS

16. The Planning Board granted the waiver.
17. The Planning Board makes the following findings pursuant to New York State Town Law § 276 and Town Code § 111-8 and § 111-9.
 - The Town Comprehensive Plan indicates that the Town is in need of more land for parks and recreation.
 - The Town Parks and Recreation Master Plan of 2018 indicates that the Town is in need of more land for parks and recreation.
 - The proposed 4-lot subdivision will enable an increase the Town's population.
 - This increase in population will intensify the need for land to be used for parks and recreation.
 - The area of the proposed subdivision is 58.3 acres.
 - Should the owner pursue the development of residential dwelling units, a fee in lieu of parkland shall be paid at the time of issuance of building permits in the amount per family dwelling unit as established by the Town Board pursuant to Town Code § 111-8.