

None at this time.

k. Referral from the Ordinance Committee

None at this time.

**l. Referrals from the Planning Review Committee (PRC) (Ms. Hooker, Mr. Damann)
*Referred April 12, 2021***

CPN-21-034 **Marathon Engineering, c/o Lucas Bushen, 39 Cascade Drive, Rochester, N.Y. 14614; representing Daniel M. Gill Revocable Trust, c/o Dan and Debbie Gill, 17440 Via Lugano Court, Miromar Lakes, Florida 33913; owner of property at 4495 Davidson Landing Drive TM #126.20-1-8.000**

Requesting an Area Variance for building coverage of 20.6 percent and a Single-Stage Site Plan approval for an addition to a single-family home (driveway, pickleball court, retaining walls and steps) and associated site improvements.

Report and photo shared by Ms. Hooker.

Summary of key points:

- Application is for enlargement of an existing cottage into a larger home with attached garage, on the site of an asphalt tennis court to be removed, and for related site improvements including construction of a concrete driveway and a 30' x 40' fenced asphalt-paved pickleball court.
- An area variance is requested for building coverage of 20.6%, where the maximum permitted is 15%. Existing building coverage is 7.3% (the tennis court does not count in building coverage).
- The site and its existing cottage were developed as part of a family-owned complex including parcel 4501, to the south. The cottage functioned as a guest house and the tennis court, lawn, docks and boathouses have been used in common in the past. The current proposal is to redevelop the site to accommodate a full scale year-round home comparable to others on Davidson Landing despite a lot size that is smaller than the average for the street.
- Existing lot coverage is 41%, and proposed lot coverage is 39%, while the maximum permitted under code is 25%. No lot coverage variance is required because the proposed development improves upon an existing non-conformity. Front, side and lake setbacks are also below minimum required, but are permitted due to existing non-conformity.
- A rain garden near the lake is proposed to slow the runoff from the roof and pickleball court and to encourage infiltration. A green roof is proposed for one porch section.
- Four mature trees will be removed to accommodate the new building and driveway; these are balanced by a detailed landscape plan providing new

trees and shrubs, and by the preservation of many trees around the property.

Environmental concerns:

- ECB generally discourages development projects with building coverage above the Town's requirements due to the potential water quality degradation from runoff directly into the lake during heavy storm events.
- The removal of the impermeable tennis court provides the opportunity for bringing this property into compliance with the Town's building coverage requirements, but the applicant fails to capitalize on this opportunity, opting instead for maximum impermeable surfaces under the Town's policy on pre-existing non-conformities.

ECB Discussion:

- The discussion included Lucas from Marathon Engineering representing the owners, Dan and Debbie Gill.
- Lucas noted that the pavilion near the lake edge is being removed.
- Lucas noted that they investigated permeable surfaces and that they view it as difficult to implement. He also noted that the house plan has been through multiple iterations to scale it back. He said that it is the only lot on this private drive that is not capable of year-long living on the property. He noted that some of the roofing is slatted to allow sun and rain to pass through to garden areas. He said that the Gill's are also investigating geothermal heating/cooling for the home to improve energy impacts. He pointed out the storm water runoff mitigation elements that they are planning is an effort to offset building coverage and that the impervious surfaces all direct water to the rain gardens, etc. for treatment before discharging to the lake.
- M. Hooker asked Lucas to elaborate on his skepticism of permeable pavers as the use of those in the planned pickleball court and concrete driveway could potentially remove the need for a variance. Lucas answered that would impact lot not building coverage. He continued that good drainage is an important component of all permeable surfaces and require highly infiltrative soil or stone base with underdrains to allow the water to drain out and this can be an issue in places that run through a freeze cycle—especially those that can see rapid freeze/thaw iterations. He sees them as best used for walkways that don't have vehicle weight and have less steep slopes. He noted that recommendations he has seen for permeable surfaces only have a 2-4% slope at most. Using a permeable surface for the pickleball court was explored but these products may cause an uneven play surface.
- Ms. Davey asked if permeable asphalt was considered. Lucas noted that the permeable pavers are cast in a factory so you can get the needed permeability to the pieces. He said this is not the same for material put down in the field. Ms. Davey noted permeable asphalt installations used

effectively in the City of Syracuse, including the basketball courts in public parks. She noted that the use of this material also helped to deaden the sound of play on the surface. Lucas noted that products are changing rapidly in this market and that they can work well but they did not feel it would for this site. Ms. Hooker said that there is also a permeable asphalt surface area near the concert shell at FLCC.

Recommendation:

ECB appreciates the use of a rain garden and green roof, and the sensitive handling of the existing trees on the site. However, we oppose the building coverage variance of 5.6% and ask that the applicant reduce size of the new construction to bring the project into compliance. We continue to encourage the ZBA take a firm stand in favor of limiting new buildings to the permitted size; every building coverage variance that is granted just encourages the trend toward homes that are too large for the lot, a trend that makes the lakefront more congested and potentially degrades water quality. We recommend that the applicant also consider further measures to promote infiltration such as permeable paving for the driveway and pickleball court.

■ A motion to approve the recommendations was made by MS. DAVEY, seconded by MR. DAMANN.

Motion carried by voice vote.

CPN-21-035

Marks Engineering, c/o Brennan Marks, P.E., 42 Beeman Street, Canandaigua, N.Y. 14424; and ATL Contractors LLC, 8242 East Bluff Drive, Penn Yan, N.Y. 14527; representing Carol Eiffert, 3253 Abbey Road, Canandaigua, N.Y. 14424; owner of property at 3535 State Route 364

TM #98.19-1-20.100

Requesting a Single-Stage Site Plan approval for construction of two single-family residences, 116 town homes and 2,000 feet of new dedicated road.

Report shared by Mr. Damann. Photos by Ms. Hooker and Mr. Kochersberger.

Summary of key points:

- Requesting a Single-Stage Site Plan approval for construction of two single-family residences, 116 town homes and 2,000 feet of new dedicated road on 33.1789 acres.
- Development will connect NYS-364 with CR 18.
- Development overlaps multiple municipalities.