



39 Cascade Drive / Rochester, NY 14614 / Phone (585) 458-7770

November 26, 2018

Mr. Doug Finch  
Town of Canandaigua  
5440 Route 5 & 20 West  
Canandaigua NY 14424

Re: Response to MRB Comments  
John & Joanne Smith – 4519 Davidson Landing  
Site Plan Review

Dear Doug,

On behalf of our client, John & Joanne Smith, we are submitting this letter, to address each comment received from the MRB Group.

**MRB GROUP COMMENTS - 11/21/2018**

1. *The Planning Board will need to discuss how this application complies with the Town's Steep Slope Protection Law (§220-8; Zoning Ordinance). The design engineer should consider providing written notice to the Town Planning Board describing how the proposed application complies.*

A written notice is attached to this letter.

2. *The Planning Board will need to discuss how this application complies with the Town's Shoreline Development Guidelines. The design engineer should consider providing written notice to the Planning Board describing how the proposed application complies.*

A written notice is attached to this letter.

3. *The boundary for any flood zones should be shown on the plans and labeled.*

The floodplain boundary will be added to the plan, as requested.

4. *The horizontal datum referenced should be noted on the plans.*

The project is not tied to any horizontal datum. Per note 3 on drawing V1.0, the boundary was taken from an old topographic survey map and is shown for graphical representation only.

5. *The work limit line label on sheet V1.0 does not point to the line.*

The work limit label will be corrected.

*Going the distance for you.*

6. *All variances approved by the ZBA are to be detailed on the plans. The date of approval of each variance is to be noted on the plans.*

The front setback variance was obtained from the ZBA at the 11/20/18 meeting. This information will be added to the site plans, as requested.

7. *The existing water service and sanitary lateral are to be shown on the plans and labeled with size and material.*

Utility services will be added to the plan, as requested.

8. *A detail should be provided for structure ST-3 as this structure is shown as having only 2' of depth. Also, the pipe connection to this structure should be labeled.*

A detail will be provided for this structure.

9. *The following notes regarding phosphorous use should be added to the plans:*

- *No Phosphorous shall be used at planting time unless soil testing has been completed and tested by a Horticultural Testing Lab and the soil tests specifically indicate a phosphorous deficiency that is harmful, or will prevent new lawns and plantings from establishing properly.*
- *If soil tests indicate a phosphorous deficiency that will impact plant and lawn establishment, phosphorous shall be applied at the minimum recommended level prescribed in the soil test following all NYSDEC requirements.*

The phosphorous notes will be added to the plan, as requested.

10. *A proposed contour labeled 711 appears to be upslope of a proposed 713 and 712 contour. Please clarify.*

The 711 label will be corrected.

11. *The drainage swale which extends from the end of the 12" perforated pipe is to be lined with stone armoring to help prevent erosion. Also a flow spreader or other end treatment should be provided at the end of the proposed swale.*

The stone lining and end treatment will be added to the plan, as requested.

12. *It appears that a retaining wall may be proposed as part of the site improvements. If so, the wall should be labeled as proposed and a detail is to be provided for review.*

A retaining wall design will be provided on future plans, as requested.

*13. The material(s) of the proposed stairs should be labeled on the plans and details should be provided.*

A stairway design will be provided on future plans, as requested.

*14. Consider lowering the rim elevation of the structure ST-1 so as to ensure that stormwater does not bypass this structure and cause erosion along the slopes.*

The rim will be lowered to create a local low point, as requested.

*15. A row of silt fence should be placed just past the proposed 721 contour near the proposed concrete walk and stairs.*

The additional silt fence will be added to the plan, as requested.

*16. All steep slope areas are to be noted on the plans and stabilized with an erosion control blanket.*

This is noted under the Erosion Control Notes (note 4) on C2.1. Further clarification of this work will be added to the plans, as requested.

*17. The proposed temporary sediment basin should be moved downslope to the flatter area between contours 714 and 712. A detail and sizing calculations should be provided.*

The sedimentation basin will be modified per Town feedback.

*18. A stabilized construction entrance, staging area, and concrete washout area should be shown on the plans.*

These elements will be incorporated into the erosion control plan, as requested.

Please do not hesitate to contact our office with any questions.

Respectfully submitted,



Lucas Bushen  
Marathon Engineering

cc: John Smith, Owner  
Lance Brabant, CPESC, MRB Group

## **Statement of Compliance with Steep Slope Protection Law** (§220-8; Zoning Ordinance)

The proposed garage/addition and related site improvements to be constructed at 4519 Davidson Landing Drive are permitted uses and will comply with the requirements of the steep slope protection ordinance. The objective of the applicant is to maintain the natural beauty of their hillside and lakefront while increasing the functionality of the property by the addition of a garage. The design and placement of the garage has been modified from previous proposals in order to minimize the area of disturbance.

A majority of the steep slope disturbance is associated with the proposed garage and driveway placement encroaching upon the existing bank on the north west side of the property. However, a portion this bank will be replaced by a retaining wall, and the remainder of the bank will be reinforced with geotextile fabric, rock and stone protection, and vegetation (approximately 1,400 square feet). The practices employed here, though classified as steep slope disturbance, increase the stability of the area, thereby minimizing the potential for erosion, slope failure and stream siltation.

The proposed improvements also guard against property damage and personal injury by eliminating stormwater flow across pavement. The proposed storm structures will capture water on the uphill side of the driveway, mitigating dangerous situations for vehicles and pedestrians caused by ice.

No significant changes in elevation are proposed. With the exception of the proposed retaining wall, no cuts or fills in excess of 3 feet are proposed.

A steep slope summary map was prepared and provided to town staff on 11/6/18. The map shows how the various steep slope categories relate to the proposed disturbance. The total proposed disturbance is 10,730 sf; 6,100 sf of which is located within a steep slope area. This does not meet the strict definition of Steep Slope Protection Law Steep Slope Section E (5) which states:

*"If total land disturbance exceeds 7,500 square feet and greater than 50% of land disturbance is within a steep slope protection area, then lot coverage for the entire site shall be reduced to 90% of the allowable lot coverage for the underlying zoning district."*

However, approximately 2,200 sf of the proposed disturbance is associated with simply removing existing pavement and restoring that area to lawn. As noted above, other disturbance is associated with increasing the stability of the steep slope area. As these disturbances result in an improved site condition, we respectfully request the Planning Board approve this plan utilizing their authority under Section E (11).

## **Statement of Compliance with Shoreline Development Guidelines**

The garage and addition to be constructed at 4519 Davidson Landing Drive will comply with the Shoreline Development Guidelines. The objective of the applicant is to maintain the natural beauty of their hillside and lakefront.

The garage and primary building addition will be setback over 100 feet from the shoreline and will be tucked behind the existing home. The proposed porch modifications will be aesthetically pleasing with elements that mimic the existing features of the original house structure. From the lake, the other structures on the lot will render the proposed addition invisible or minimally visible from that angle.

The proposed addition offers an important function – garage space which will reduce the appearance of clutter on the lot by providing space for the storage of cars and other goods. In addition, an existing 220 square foot shed and approximately 2,200 square feet of asphalt are being removed. The site is extensively landscaped -- the area around the addition will be as well.

All of these factors minimize the visual impact of the proposed garage on the view of the shoreline from the lake.

In addition, appropriate Soil Erosion and Sedimentation Control measures will be taken during the construction period to protect the shoreline and lake.