

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: November 22, 2022

Project: CPN-22-075

Applicant

BME Associates
c/o Aaron P. Beyler EIT
10 Lift Bridge Lane East
Fairport, NY 14450

Owners

Keir P. Meisner and
Leah V. Perkins
910 Taylor Rise
Victor, NY 14564

Project Type

Single-Stage Site
Plan

Project Location

6240 Fisher Hill
Road

Tax Map #

111.00-1-61.100

TYPE OF APPLICATION:

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

Applicant Request:

- ☒ Granted ☐ Denied ☐ Tabled
☐ Continued to:
☒ See attached resolution(s)

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

- ☐ Type I ☒ Type II ☐ Unlisted
☒ See Attached resolution(s):

Negative Declaration Date:

Positive Declaration Date:

Recommendation To:

- ☐ Town Board ☐ ZBA ☐ N/A

Recommendation:

CANANDAIGUA TOWN CLERK

- ☐ See attached resolution(s)

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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: 5/25/23
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:

11/23/22

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING KEIR MEISNER & LEAH PERKINS
6240 FISHER HILL ROAD – AR-2 ZONING DISTRICT
CPN 22-075 – TM# 111.00-1-61.100
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 Single-Stage Site Plan Approval for the construction of a new single-family residence, on-site wastewater treatment system, and associated site improvements on an existing, vacant parcel within the AR-2 zoning district, as shown on the Single-Stage Site Plan prepared by BME Associates, dated October 3, 2022, and all other relevant information submitted as of November 22, 2022 (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

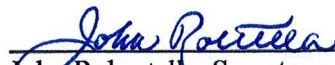
BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

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 Amanda VanLaeken and seconded by Scott Neal at a meeting of the Planning Board held on Tuesday, November 22, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

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

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 November 22, 2022 meeting.


John Robortella, Secretary of the Board L. S.

CANANDAIGUA TOWN CLERK

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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 the construction of a new single-family residence, on-site wastewater treatment system, and associated site improvements on an existing, vacant parcel within the AR-2 zoning district, as shown on the Single-Stage Site Plan prepared by BME Associates, dated October 3, 2022, and all other relevant information submitted as of November 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 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 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 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 site plans.
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. 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.
5. Prior to the issuance of a building permit, the on-site wastewater treatment system design is to be reviewed and approved by the Town Code Enforcement Officer.
6. 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.
7. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
8. Prior to the issuance of building permits, the NYSDEC NOI Acknowledgement Letter is to be provided to the Town Development Office.
9. The following notes regarding phosphorous use should be added to the landscaping plans:

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SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

- 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 NYS DEC regulations.

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Mark Tolbert -	<i>AYE</i>
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 L. S.
John Robortella, Secretary of the Board

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FINDINGS

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for the construction of a new single-family residence, on-site wastewater treatment system, and associated site improvements on an existing, vacant parcel within the AR-2 zoning district.
2. The project is detailed on the Single-Stage Site Plan prepared by BME Associates, dated October 3, 2022, and all other relevant information submitted as of November 22, 2022.
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. A Zoning Law Determination was prepared dated October 28, 2022:

DETERMINATION:

Single family residential structures are permitted in the AR-2 zoning district.

The Zoning schedule for the AR-2 district has been met.

The site plan lacks any landscape detail and the tree-line, on the north side of the parcel, is not shown on the final site plan.

REFERRAL TO PLANNING BOARD FOR:

All single-family residential site plans require Planning Board review and approval.

CODE SECTIONS: Chapter §1-17; §220-15 §220-70

6. This application was referred to the following agencies for review and comment:
 - Chris Jensen, Town CEO
 - Town Environmental Conservation Board
 - MRB Group
 - Sheryl Robbins, P.E., NYSDOH
 - Cheshire Fire Department
7. No comments were received from Chris Jensen, Town CEO.
8. The Town ECB reviewed the application at their November 3, 2022 meeting.
9. Comments were received from MRB Group in a letter.
10. Comments were received from Sheryl Robbins, P.E., NYSDOH in an email dated November 2, 2022:

The plans for this site were received today.

It appears to accurately propose a shallow trench onsite wastewater treatment system, which is a conventional absorption system.

It appears to be proposed on a slope $\leq 15\%$.

Therefore I don't see any obvious need for a Specific Waiver from Appendix 75-A from this office.

No apparent need for review and approval from this office, unless this information is not accurate.

BME Associates should contact this office if a Specific Waiver application should be submitted to this office.

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FINDINGS

11. No comments were received from the Cheshire Fire Department.
12. The Planning Board has considered all comments as part of their review of the application.
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.
14. The Planning Board makes the following findings pursuant to New York State Town Law § 277 and Town Code § 111-9.
 - The Planning Board hereby finds that a proper case exists for requiring that a park be located for playgrounds or other recreational purposes on the proposed site because of the increase in population that will be created by the proposed new development.
 - 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 indicates that the Town is in need of more land for parks and recreation.
 - The proposed site plan includes 1 new home, of which will be occupied by a family with one or more children.
 - The proposed site plan will increase the Town's population.
 - This increase in population will intensify the need for land to be used for parks and recreation.
 - A suitable park of adequate size to meet the Town's needs cannot be properly located on the proposed site plan.
 - There is not an existing park in the vicinity of the proposed site
 - A fee in lieu of parkland shall be paid at the time of issuance of building permits as established by the Town Board pursuant to Town Code § 111-8.