

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

PLANNING BOARD

Established February 20, 1962

Tuesday, January 24, 2023 • 6:00 p.m.

MINUTES—DRAFT #1—SUBJECT TO CHANGE

The following minutes are the official and permanent record of the actions taken by the Town of Canandaigua Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is retained for three months.

The meeting was conducted at the Canandaigua Town Hall and via remote video conference.

***R** = Attended via remote video conference.*

Meeting called by: Charles Oyler, *Chairperson*

Board members present: Robert Lacourse
Scott Neal
Mark Tolbert
Amanda VanLaeken

Alternate: Position vacant

Staff present: Shawna Bonshak, Town Planner
Lance S. Brabant, CPESC, MRB Group, D.P.C.
Kimberly Burkard, Remote Access Facilitator

Attending:

Samantha Bentley, 3650 Woolhouse Road, Canandaigua, N.Y. 14424

Fritz Cermak—**R**

William and Marcia McMahon, 5430 Wells Curtice Road, Canandaigua, N.Y. 14424

Charles and Ellen Miller, 3272 Hickox Road, Canandaigua, N.Y. 14424

Brennan Marks, Marks Engineering, 42 Beeman Street, Canandaigua, N.Y. 14424—**R**

David Sauter, Canandaigua Town Board Member

Zakery Steele, RLA, ASLA, LEED-AP, Landscape Architect; Sue Steele Landscape
Architecture PLLC, 9 Summit Street, Fairport, N.Y. 14450

2. NEW SINGLE-STAGE SUBDIVISION

CPN-22-081 Charles and Ellen Miller, 3272 Hickox Road, Canandaigua, N.Y. 14424; owners of property at 0000 Hickox Road.

TM #96.00-1-46.100

Requesting a Single-Stage Subdivision approval for a two-lot subdivision, subdividing an existing vacant 108.0113-acre parcel to create Lot #1 consisting of the remaining 100± acres and Lot #2 at 7.887 acres with no development proposed, located within the AR-2 Zoning District and detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors dated August 10, 2022; last revised November 17, 2022; and all other relevant information submitted as of January 24, 2023 (the current application).

This application was reviewed by the Planning Review Committee (PRC) on November 14, 2022; and December 12, 2022.

The PRC referred this application to the following Town offices and agencies:

Chris Jensen, Town Code Enforcement Officer
Town Environmental Conservation Board
Town Agricultural Advisory Committee
Ontario County Planning Board

Mr. Oyler opened the Public Hearing on this application.

Charles and Ellen Miller attended in the meeting room. Mr. Marks (Marks Engineering) attended via remote video conference.

Mr. Oyler said that there is a statement in the application file that there is no intent to build on proposed Lot #2 at this time. Ms. Miller said that this is correct.

Mr. Lacourse asked if the property is currently be farmed. Mr. Miller said yes. Mr. Lacourse said that he had no issues with the subdivision application.

Ms. VanLaeken asked about possible considerations for strategic farmland protection within this corridor [on Hickox Road]. Ms. Bonshak said that the Town staff is looking into strategic farmland protection and that the Town has added a special agricultural overlay area, but that because of the size of this proposed subdivided lot there would be no effect [of strategic farmland protection] upon this application.

Mr. Tolbert said that the Town's Natural Resource Inventory (NRI) shows that the overall parcel includes an area of approximately eight-and-one-half acres of silver maple ash

swamp and approximately four acres of wetlands. He requested that the applicants keep these NRI features in mind for protection if future development were to be proposed.

Mr. Oyler asked if any other NRI features were located on the property. Ms. Bonshak said that there are no other NRI features on the property and that the land is relatively flat.

Mr. Oyler requested that the NRI features be depicted upon the subdivision plat which was displayed on the video screen. Mr. Marks said that he believed that the NRI features are depicted upon the subdivision plat. Mr. Brabant said that the NRI features are shown on proposed Lot #2 but that they are not shown on the larger Lot #1. Mr. Oyler requested that the NRI features should be shown on Lot #2 to avoid questions in the future about possible building restrictions due to the NRI features if a site plan for development were to be submitted.

Mr. Oyler said that the Agricultural Data Statement indicated that the property was not being farmed. Mr. Miller again confirmed that the property is being farmed. Mr. Oyler requested that the Agricultural Data Statement be corrected to reflect that the property is being farmed.

He also said that the issue of a better survey which depicts the property's metes and bounds has been resolved by Town Code Enforcement Officer Chris Jensen and that the Town Environmental Conservation Board also recommended that the NRI features should be avoided if future development upon Lot #2 is proposed.

Mr. Oyler said that the Town Agricultural Advisory Committee reviewed this application and had no issues.

Mr. Oyler requested that a numerical indication of the sight distance from the driveway to the intersection be provided on the subdivision plat. Mr. Marks said that he will relay this request to the surveyor. Ms. Bonshak then reviewed the sight distance on the drawing which was displayed on the video screen.

Mr. Oyler asked about the notation of Tributary #14 on the subdivision plat. It was noted that this is a tributary of Sucker Brook.

He also asked about a waiver request for a survey of the entire parcel. Ms. Bonshak said that the applicant has submitted a waiver request. Mr. Oyler asked that the waiver request and the Planning Board's approval of this waiver be included as a condition of subdivision approval.

Mr. Oyler asked about the "Yes" response to Question #12 (b) on the Short Environmental Assessment Form Part 1, i.e., "Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory." Mr. Brabant said that this response will be addressed prior to the disturbance of the site if a site plan application were to be submitted to the Planning Board in the future.

Mr. Oyler said that this application did not require a referral to the Ontario County Planning Board.

Mr. Oyler asked if anyone in the meeting room or on the remote video conference wished to ask questions or to comment on this application. There were no requests from those in the meeting room or from those on the remote video conference.

There were no additional comments or questions on this application this evening.

Mr. Oyler then closed the Public Hearing on this application.

Board deliberations:

■ A motion was made by MR. OYLER, seconded by MR. NEAL, that 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); that the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; that 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; that the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; that 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; that the Planning Board has completed Part 2 and Part 3 of the Short EAF; that based upon the information and analysis and the supporting documentation referenced above the proposed action **WILL NOT** result in any significant adverse environmental impacts; that the Planning Board does hereby a Determination of Non-Significance on the proposed development; and that the Planning Board Chairperson 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.

Motion carried by voice vote.

■ A motion was made by MS. VANLAEKEN, seconded by MR. TOLBERT, that the application of Charles and Ellen Miller, owners of property at 0000 Hickox Road, requesting a Single-Stage Subdivision approval for a two-lot subdivision, subdividing an existing vacant 108.0113-acre parcel to create Lot #1 consisting of the remaining 100± acres and Lot #2 at 7.887 acres with no development proposed, located within the AR-2 Zoning District and detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors dated August 10, 2022; last revised November 17, 2022; and all other relevant information submitted as of January 24, 2023 (the current application), be approved with conditions.

Mr. Brabant then reviewed the conditions of approval.

The following amendments were offered:

- New Condition #4: The subdivision plan is to be revised to identify and label all existing NRI features located on proposed Lot #2.
- New Condition #5: The Agricultural Data Statement is to be revised to identify that the property is currently being farmed.
- New Condition #6: The waiver dated December 20, 2022, submitted by the applicant requesting to not be required to show metes and bounds for the parent parcel of the two-lot subdivision due to its size was granted by the Planning Board.

Motion to approve the resolution as amended carried by voice vote.