

**Final Classification:** Class 2**Findings**

1. Addressing encroachment on County owned property, rights of way, and easements is an intermunicipal issue for reasons of access, maintenance and ultimately, public safety.
2. This issue can be addressed by consulting with the Ontario County DPW.

**Final Recommendation** shall be for approval with the following modification:

The applicant and referring agency shall contact the Ontario County Department of Public Works and ensure that the development is not improperly encroaching on the CR 16 ROW.

**February 2019 OCDPW Comments**

The department has reviewed the site plan. Detailed comments are included in a February 11 e-mail to the Town Development Office and summarized below.

1. A highway work permit and proof of contractor insurance will be required for any work within the highway right-of-way.
2. Additional documentation will be required if the project involves more than 1 acre of site disturbance and requires a SWPPP.
3. The County does not consent to on-street parking along CR 16 and will not permit the pull-off shown within the ROW.
4. The proposed retaining walls must be placed out of the county ROW. Additionally the County outlined areas of concern regarding design, materials, and contractor safety.
5. The proposed replacement stairs shall be positioned such that the near edge of the proposed stairs is no closer than 8' from the edge of pavement. An encroachment agreement shall be required for any stair placement within the ROW,
6. Include additional engineering calculations and design details to be reviewed by County regarding the driveway, guide rail transition at the stair, work zone traffic control, shoulder restoration, and drainage structures.
7. All underground utilities must be installed under CR 16 using trenchless methods.

**February 2019 Canandaigua Lake County Sewer District Comments**

Detailed district comments are in a letter to Erin Venezia Joyce dated February 7, 2019 and summarized below.

1. If the applicant wishes to reuse the existing sewer lateral, it must be televised in the presence of District staff or a video shall be provided to the District Supervisor.
2. Additional comments related to materials, clean-outs, plan notes, and details for penetration of foundation.

**June 2019 Comment** – Does the accessory building required a lakeside or mean high water line setback variance?

**June 2019 OCDPW Comments**

The department reviewed the site plan for lakeside modifications and offered detailed comments in an e-mail to the Town Development Office. These comments are summarized below:

1. The proposed Boat Accessory Structure extends into the CR 16 ROW
2. The plan shows proposed utility lines in the CR 16 ROW. Such installations will require additional review by the Town of Canandaigua Water District, Canandaigua Lake County Sewer District, and OCDPW.

110 - 2019	Town of Canandaigua Planning Board	Class: n/a
Referral Type:	Technical Review	
Applicant:	Venezia Assocaites	
Property Owner:	DAGAR	
Tax Map No(s):	97.04-2-100.100, 97.04-2-101.000, 97.04-1-6.121	
Brief Description:	Technical review of a sketch plan to subdivide 3 parcels with 69 acres between CR 16 and Middle Cheshire in the Town of Canandaigua into 70 single family lots. <a href="https://www.co.ontario.ny.us/DocumentCenter/View/18225/110-2019-Aerial">https://www.co.ontario.ny.us/DocumentCenter/View/18225/110-2019-Aerial</a> <a href="https://www.co.ontario.ny.us/DocumentCenter/View/18226/110-2019-Lacrosse-Circle-2019-05-17-Site-Plan">https://www.co.ontario.ny.us/DocumentCenter/View/18226/110-2019-Lacrosse-Circle-2019-05-17-Site-Plan</a>	

Two different sketch plans have been reviewed for the eastern 44 acre Ashton Place parcel: 86-2018 in June 2018 and 204-2018 in December 2018. The December 2018 sketch plan conserved 19 acres of the 44 acre site including 13.4 acres of constrained lands.

The currently proposed sketch plan combines the undeveloped Ashton Place property with access of CR 16 and 2 undeveloped lots remaining in the Foxridge subdivision with access indirectly off Middle Cheshire Road.

The current sketch plan notes indicate the presence of 9 acres of constrained land including 5 acres of woods and 4 acres of slopes greater than 15% on the eastern Ashton Place lot and 4.4 acres of constrained lands including 1 acre of woods and 4.4 acres with slopes greater than 15% on the two Foxridge parcels or combined acreage of constrained acreage of 13.4 acres. The currently proposed sketch indicates 14.4 acres of undeveloped conserved land and 4.4 acres of conserved land to be developed as a stormwater detention facility or a total of 18.7 of the combined 69 acres.

The submitted documents do not show the location of constrained lands in relation to proposed lands to be conserved. However, based on OnCOR, the largest conserved area appears to contain much of the area of 16 to 30 % slope, though the proposed road passes over the northern end of the steeply sloped area. Other conserved areas provide a buffer to the lots to the north on Bedford Drive and a .5 acre green space in the western portion of the development.

The Ashton Place parcel is zoned SCR-1 with a minimum lot size of 1 acre. The Foxridge parcels are zoned R-1-20/281 with a minimum lot size of 15,000 SF. The notes indicate the continued potential for 35 lots on the Ashton Place parcel and 59 lots on the Foxridge parcels. The Foxridge building potential does not appear to account for any undeveloped land set aside along with the clustering of the developed lots.

Most of the 70 lots shown on the sketch plan are 21,000 SF to 28,000 SF in size, though 11 lots are 35,000 SF to 57,000 SF in size.

The sketch plan continues to show the frontage on CR 16 being transferred to an adjacent land owner. The sketch plan indicates development of a stormwater detention facility in the conserved land behind properties along CR 16. The materials submitted do not include any additional stormwater or erosion control information. The Foxridge parcels are on the opposite side of a ridge from the Ashton Place parcel and increased stormwater from this area will likely flow to a different facility.

According to OnCOR there are no floodplains or wetlands on the site. Property to the northwest is in an agricultural district and 42 of the 69 acres are prime farmland. Site soil characteristics are as follows:

<u>Honeoye loam</u>	3 to 8 percent slope – 26 acres, 8 to 15 percent – 19.6 acres, 15-25 percent slope 6 acres
<b>Prime Farmland</b>	– areas w/ slopes 3 to 8 %, <b>Farmland of Statewide importance</b> - areas w/ slopes of 8 to 15 %, <b>Not Prime Farmland</b> - areas with slopes 15 to 25%
<b>Permeability:</b> Moderately High	<b>Erodibility:</b> Medium
<b>Hydrological Group</b> C	<b>Not Hydric</b>
<u>Lima loam</u>	3-8 percent slope- 14 acres
<b>Prime Farmland</b>	
<b>Permeability:</b> Moderately High	<b>Erodibility:</b> High
<b>Hydrological Group</b> C/D	<b>Not Hydric</b>
<u>Ovid silt loam</u>	0-3 percent slope- 1.2 acres
<b>Prime Farmland</b>	
<b>Permeability:</b> Moderately High	<b>Erodibility:</b> High
<b>Hydrological Group</b> C/D	<b>Not Hydric</b>

The subdivision is proposed to have public water and sewers. According to the Ontario County Planning Board computer application, the subdivision will likely have access to the fiber optic network along CR 16.

#### December 2018 Comments from Resident of 4851 Ashton Place

1. The original subdivision plan for this area envisioned 23 additional lots. Are the sewers along Ashton Place sized to accommodate a 35 lot development?
2. There are springs on the property and portions hold standing water. What stormwater management practices will be used to avoid off-site impacts following development of these lots?

**December 2018 Comments**

1. It appears that this project will continue to discharge stormwater to CR 16 culvert #79; therefore OCDPW will need to review the stormwater management plan and drainage report.
2. The SWPPP and stormwater management plans should be reviewed by Canandaigua Lake Watershed Manager before approval.
3. In accordance with Town regulations for conservation subdivision in 174-16, a complete preliminary subdivision plan and therefore a complete County Planning Board referral must include a conservation analysis including an analysis of the conservation value of various site features.

**June 2019 Comments**

1. Are any of the undeveloped lands in the Foxridge subdivision designated at open space in the cluster subdivision previously developed?
2. Is development of a stormwater management facility an allowable activity on unconstrained lands conserved as part of a clustered subdivision?
3. Are constrained lands included in the proposed conserved areas? What is the function of the ½ acre of conserved land on the Foxridge parcel?
4. Is there a stormwater management facility associated with previous development of Foxridge subdivision and does it have or could it be re-designed to accept additional stormwater?
5. How will the proposed development impact drainage of agricultural fields to the north?
6. Is there capacity in the existing Foxridge sewers to serve additional lots?

**OC Department of Public Health Comment-** What provisions will be made for trails or sidewalks in this subdivision?

111 - 2019	Town of Canandaigua Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Earon Moroz, Robert Bussey	
Property Owner:	Miller, John	
Tax Map No(s):	97.00-1-60.11	
Brief Description:	Area variance and minor subdivision for a 108 acre property on CR 32 east of Hickox Road in the Town of Canandaigua to establish a 2 acre lot with a reduced width of 129' when 200' is required.	

The property is zoned Agricultural-Rural Residential 2 with a minimum lot size of 2 acres and minimum lot frontage of 200'. The parent lot is currently cropland and appears to have been previously subdivided to create 3 residential lots and a farmstead which may also operate as a storage shed or landscaping business. The residential lots appear to have been subdivided when lower lot size and frontage requirements were in place. The subdivision map indicates areas of federal wetlands along the eastern property boundary and areas of slope greater than 10 % in the center and eastern portion. The proposed lot is removed from these features.

The majority of the acreage of the proposed lot is behind 2 small ½ lots to the west of its frontage. According to OnCOR, the proposed lot is not constrained by steep slopes, wetlands, or floodplains. The parent parcel and all area land are in an agricultural district. Soil characteristics in the area of the proposed lot are as follows:

Lima Loam 3-8 percent.

**Prime Farmland**

**Permeability:** moderately high      **Erodibility:** high

**Hydrological Group** C/D      **Not Hydric**

Town of Canandaigua driveway spacing standards apply only in commercial and industrial districts; however, closely spaced residential driveways can degrade capacity and safety of collector roads such as CR 32. Typical driveway spacing standard on a collector roads with a speed limits of 45 MPH or higher would be 440'.

**Comments**

1. The proposed narrow lot frontage leave a small strip (<20') of road frontage. If this is a necessary farm access road it should be indicated on the subdivision map as a temporary farm access road not suitable for servicing future residential lots.
2. The proposed lot shape provides an opportunity to add a landscaped buffer to minimize impact of frontage residential development on the viability of remaining farmland.