

Erosion control will consist of erosion control blankets on the steep slope area, a silt fence around the area of disturbance and a stabilized construction entrance.

A retaining wall no higher than five feet will be located on the northwest side of the property. A deck will be constructed off the front of the home.

Roof gutters and site drainage will surround the home and lead to an overflow dry well.

A landscape plan was not provided but it appears that some existing vegetation will be retained. Disturbed areas will be reseeded.

Ms. Hooker asked if the applicants have considered a rain garden to slow the flow of runoff and to avoid the concentrated drainage flow coming off the new home. The ECB reviewed the site plan to consider possible locations for a rain garden on the site.

Ms. Marthaller referred to the comments of Canandaigua Lake Watershed Inspector Tyler Ohle regarding “. . . the foundation/gutter drain and proposed soil grading of a swale are directed to a drywell uphill of the proposed leach area. This has the potential to increase hydraulic point loading, which could artificially raise the seasonal high water table. To the same effect, increased runoff from the asphalt driveway may impact the leach area. If these water mitigations practices, or lack of, remain unchanged this office is requesting a curtain drain to intercept the added stormwater. Proper separation distances between the curtain drain and leach area must be met in order to prevent ‘short circuiting’ of the onsite wastewater system”

Mr. Ohle also requested that the square footage of the proposed residence be provided to verify that it meets the increased design standards of the Town of Canandaigua’s On-site Wastewater Treatment Law, Section 202-6.

Ms. Marthaller also asked if the new home would have a different street address following the revision of the previous subdivision of the property.

ECB Comments: The ECB requests that the comments of the Canandaigua Lake Watershed Inspector be addressed, that a rain garden be considered in an appropriate location on the property to reduce the concentrated flow of stormwater, that a landscape plan be provided, and that a determination be provided regarding the street address of the new home.

CPN-20-007

**Venezia & Associates, 336 N. Main Street, Canandaigua, N.Y. 14424, representing J. Summerhays, et. al, 24 Crestline Drive, Rochester, N.Y. 14618; owners of property at 4691 and 4695 N. Menteth Drive
TM #140.11-1-14
TM #140.11-1-15**

Requesting an Area Variance for creation of a parcel that does not meet the 20,000-square-foot minimum (requesting a variance of 5,229 square feet to create a lot that is 14,771 square feet); and requesting a recommendation from the Planning Board regarding potential impacts of the expansion of the nonconforming lot, per Town Code § 220-107 (G) (2).

Mr. Ritts presented this application and provided the following information:

The applicant is requesting an Area Variance of 5,229 square feet for the creation of a parcel of 14,771 square feet which does not meet the 20,000-square-foot Town Code minimum lot size. The applicant is also requesting a recommendation from the Planning Board to the Zoning Board of Appeals regarding the potential impacts of the expansion of the non-conforming lot, per Town Code § 220-107 (G) (2).

Mr. Ritts said that the northern lot that would be created by the subdivision of this parcel will be a conforming lot, but that the southern lot that is currently a non-conforming lot would become even more non-conforming.

Ms. Hooker provided the following comments:

This is also a boundary line change, but one that requires a variance because it would make an existing lot which is below the minimum size and width and make it even smaller, while making an adjacent vacant lot larger so as to be able to build a larger home and maintain the setback requirements.

ECB should advise the Planning Board on whether approval would have negative effects on natural resources. The existing home on the smaller lot is among the smallest and oldest in the neighborhood, and it seems likely that at some point the current owner or a new one will want to redevelop it, at which point another variance request is likely.

The cumulative effect of such variances is to allow larger and larger homes on a finite amount of lakeshore, with negative effects on water quality and the health of the lake.

ECB should encourage owners to adhere to the Town's development standards except when there are truly extenuating circumstances, other than the fact that the applicant wants a larger house than is permitted.

ECB Comments: The ECB recommends that the Zoning Board of Appeals maintain the Town standards to avoid the increase of the non-conformance of an already non-conforming lot. The ECB encourages property owners to adhere to the Town's development standards except when there are truly extenuating circumstances which have not been identified in this application.