

Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: Grace B. & Eileen C. Muller
PROPERTY ADDRESS: 4575 North Road
TAX MAP NUMBER: 57.00-1-21.113
ZONING DISTRICT: AR-1 – Agricultural Rural Residential

DETERMINATION REFERENCE:

- Application for Special Use Permit, dated 08/11/2016, received for review by Town on 08/12/2016.
- Application for Area Variance, dated 08/12/2016, received for review by Town on 08/15/2016.
- Application for Accessory Structure Permit, dated 08/12/2016, received for review by Town on 08/16/2016.
- Application for Soil Erosion and Sediment Control Permit, dated 08/11/2016, received for review by Town on 08/12/2016.
- Application for Site Development/Building Permit, dated 08/11/2016, received for review by Town on 08/12/2016
- Plans titled "Proposed Site Plan: Community Solar Garden" by Timothy C. Buhl, P.E., dated 09/22/2016, no revisions noted, received by the town on 09/23/2016.

PROJECT DESCRIPTION:

- Owner proposes to construct a large scale 1.98 megawatt, 3.3 acre commercial photovoltaic power station within an Agricultural Rural Residential parcel.

DETERMINATION:

- One single-family dwelling is a permitted principal use within the AR-1 Zoning District.
- Small commercial establishments are a specially permitted use within the AR-1 Zoning District.
- The Town Planning Board may impose additional conditions or restrictions as it may deem necessary prior to approving any special use permit application in order to protect public health and safety, the quality of the Town's natural resource base and the value of property.
- Where it is deemed appropriate by the Town Planning Board, any of the following provisions related to Accessory Commercial Uses may be waived:
 - o Building area shall not exceed 5,000 gross square feet (GSF), maximum building footprint of 2,500 square feet; maximum height shall not exceed two stories.
 - Proposed structures are approximately 142,560sq.ft. in area.
 - o Landscape, screening and buffers shall be designed to visually separate small commercial establishments, including parking areas, and adjacent residential land uses.
 - No proposed landscaping or buffers detailed on plans
 - o Parking at side or rear only; there shall be no front yard parking.
 - Plan details access drive and parking in front yard.
- Proposed photovoltaic structures have a footprint of 142,560 sq. ft. when 3,000 sq. ft. is the maximum accessory building footprint.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to special use permit approval within an agricultural district.

REFERRAL TO ZONING BOARD of APPEALS FOR:

- An application requesting a 139,560 sq. ft. area variance has been submitted to the Town ZBA.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board site plan review is required for all new development for all specially permitted uses in all districts.

CODE SECTIONS: Chapter §1-17, §220-57; §220-14; §220-9B, §220-64 C.(4)

DATE:

9/29/2016

BY:

Chris Jensen
Chris Jensen - Zoning Officer

CPN- 059-16

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder
Property File
Property Owner
Town Clerk

