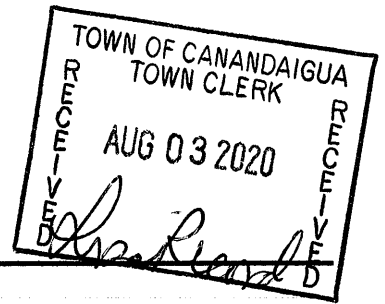


Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424
Phone (585) 394-1120 • Fax (585) 394-9476



Planning Board Decision Notification

Meeting Date: July 28, 2020

Project: CPN-20-040

Applicant

J & T Properties of
Canandaigua LLC
P.O. Box 1100
Canandaigua, NY 14424

Owners

J & T Properties of
Canandaigua LLC
P.O. Box 1100
Canandaigua, NY
14424

Project Type

Single-Stage Site
Plan

Project Location

5290 North Street

Tax Map #

70.00-1-52.11

TYPE OF APPLICATION:

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

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

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

Applicant Request:

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

Negative Declaration Date: **JULY 28, 2020**

Positive Declaration Date:

Recommendation To:

- ☐ Town Board ☐ ZBA ☐ N/A ☐ See attached resolution(s)

Recommendation:

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE
ON THE FINAL PLAN BY: 11/25/2020
YOU ARE RESPONSIBLE FOR REQUESTING AN
EXTENSION PRIOR TO THIS EXPIRATION DATE IF
THIS REQUIREMENT CANNOT BE MET.

Surety Requirements:

- ☐ Landscaping: \$ ☐ Soil Erosion: \$
☐ Other (specify): \$

Surety Release:

Certified By: 

Chairperson, Planning Board

Date: 8/3/20

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING
J & T PROPERTIES OF CANANDAIGUA LLC
5290 NORTH STREET – INDUSTRIAL ZONING DISTRICT
CPN 20-040 TM# 70.00-1-52.110
SINGLE-STAGE SITE PLAN APPROVAL

SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for construction of a new 50-foot by 120-foot metal storage building on an existing parcel located at 5290 North Street within the Industrial zoning district and detailed on Site Plans prepared by Venezia & Associates, dated June 10, 2020, and all other relevant information submitted as of July 28, 2020 (the current application); and

WHEREAS, 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); and

WHEREAS, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, 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; and

WHEREAS, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

WHEREAS, 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; and

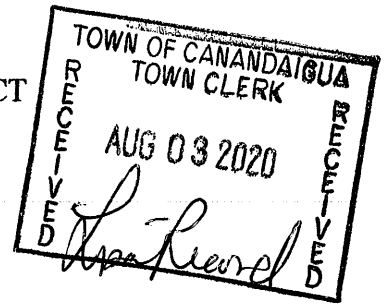
WHEREAS, the Planning Board has completed Part 2 and Part 3 of the Short EAF; and

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

BE IT FURTHER RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING
J & T PROPERTIES OF CANANDAIGUA LLC
5290 NORTH STREET – INDUSTRIAL ZONING DISTRICT
CPN 20-040 TM# 70.00-1-52.110
SINGLE-STAGE SITE PLAN APPROVAL



SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

Amanda VanLaeken -

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 July 28, 2020 meeting.

John Robortella L. S.
John Robortella, Secretary of the Board

Project: J&T Properties Site Plan

Date: July 28, 2020

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

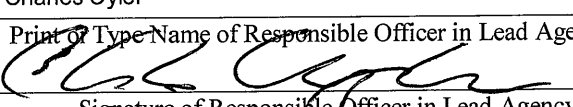
Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Planning Board, as the designated lead agency for this Action, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Action. Based upon this evaluation, the Planning Board, in a separate resolution adopted on July 28, 2020 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Canandaigua Planning Board	July 28, 2020
Name of Lead Agency	Date
Charles Oyler	Planning Board Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	Lance Brabant - MRB Group
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING
J & T PROPERTIES OF CANANDAIGUA LLC
5290 NORTH STREET – INDUSTRIAL ZONING DISTRICT
CPN 20-040 TM# 70.00-1-52.110
SINGLE-STAGE SITE PLAN APPROVAL

SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for construction of a new 50-foot by 120-foot (6,000 SF) metal storage building on an existing parcel located at 5290 North Street within the Industrial zoning district and detailed on Site Plans prepared by Venezia & Associates, dated June 10, 2020, and all other relevant information submitted as of July 28, 2020 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed development in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Planning Board has determined the proposed action to be an Unlisted action and subject to a single agency review pursuant to Part 617.6(b)(4) of the SEQR Regulations; and

WHEREAS, on July 28, 2020 the Planning Board, serving as lead agency, made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR; and

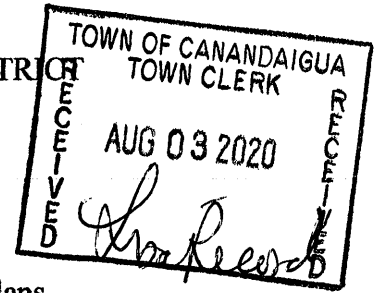
WHEREAS, all requested area variances were approved at the July 21, 2020 ZBA meeting; and

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 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).
3. The comments within the Town Engineer's comment letter dated July 24, 2020 are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
4. All comments from the Canandaigua-Farmington Water District are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
5. 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 final site plans.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING
J & T PROPERTIES OF CANANDAIGUA LLC
5290 NORTH STREET – INDUSTRIAL ZONING DISTRICT
CPN 20-040 TM# 70.00-1-52.110
SINGLE-STAGE SITE PLAN APPROVAL



SITE PLAN APPROVAL RESOLUTION

6. All variances approved by the ZBA are to be detailed on the site plans.
7. A separate approval by the Planning Board is required for any building and ground signage.
8. Legal access to the site over the existing entrance drive off North Street is to be provided. The access easement is to be shown on the plans and will be required to be filed with the County Clerks Office prior to issuance of permits.
9. The following notes regarding phosphorous use are to be added to the landscaping plans:
 - 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 NYSDEC requirements.

The above resolution was offered by Ryan Staychock and seconded by Gary Humes at a meeting of the Planning Board held on Tuesday, July 28, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -	AYE
Charles Oyler -	AYE
Ryan Staychock -	AYE
Karen Blazey -	AYE
Bob Lacourse -	AYE

(ALT)

Amanda VanLaeken -

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 July 28, 2020 meeting.

John Robortella L. S.
John Robortella, Secretary of the Board

**TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA & ASSOCIATES REPRESENTING
J & T PROPERTIES OF CANANDAIGUA LLC
5290 NORTH STREET – INDUSTRIAL ZONING DISTRICT
CPN 20-040 TM# 70.00-1-52.110
SINGLE-STAGE SITE PLAN APPROVAL**

FINDINGS

1. The Town of Canandaigua Planning Board has received an application for Single-Stage Site Plan approval for construction of a new 50-foot by 120-foot metal storage building on an existing parcel located at 5290 North Street within the Industrial Zoning District.
2. Detailed on site plans dated June 10, 2020 prepared by Venezia & Associates, and all other relevant information submitted as of July 28, 2020.
3. This is an Unlisted Action under SEQR and does not require coordination. A Short Environmental Assessment Form (EAF) Part 1 was completed by the Applicant.
4. The EAF Part 2 and Part 3 were completed by the Planning Board.
5. The Planning Board declared themselves as lead agency and made a SEQR Determination of Significance and issued a Negative Declaration at the July 28, 2020 Board meeting, concluding SEQR.
6. This application was forwarded to the following outside agencies for review:
 - Town CEO
 - Town Engineer
 - Ontario County Planning Board
 - Canandaigua City Fire Department
 - City of Canandaigua
7. A zoning Determination was prepared dated June 30, 2020:

DETERMINATION:

- Lots in Industrial Zoning Districts may have more than one principal building erected thereon where all uses are permitted by the underlying zoning district.
- Proposed building has a setback of 8.42 ft. when 25 ft. is required.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to variance and site plan approval within 500 ft. of a municipal boundary.

REFERRAL TO ZONING BOARD of APPEALS (ZBA) FOR:

- ZBA approval required for 16.58 ft. side setback area variance.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board site plan approval required for development which exceeds 1,000 square feet within the Industrial Zoning District.

CODE SECTIONS: Chapter §1-17; §220-13; §220-64; §220-26; §220a Sch.1 Zoning Schedule

8. The Zoning Board of Appeals approved the variance applications at their July 21, 2020 meeting.

**TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA & ASSOCIATES REPRESENTING
J & T PROPERTIES OF CANANDAIGUA LLC
5290 NORTH STREET – INDUSTRIAL ZONING DISTRICT
CPN 20-040 TM# 70.00-1-52.110
SINGLE-STAGE SITE PLAN APPROVAL**

FINDINGS

9. The Ontario County Planning Board provided comments at the July 8, 2020 meeting of the County Planning Board.
10. Comments were received from the Town Code Enforcement Officer in an email dated June 22, 2020.
11. Comments were received from Sandy McNabb in a letter dated May 22, 2020.
12. The Richard Brown of the City of Canandaigua stated in an email dated June 30, 2020, that they have no concerns regarding the application.
13. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
14. 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.