

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: August 24, 2022

Project: CPN-22-050

Applicant

Venezia & Associates
5120 Laura Lane
Canandaigua, NY 14424

Owners

Gregory T. and Beth
D. Westbrook
4096 Onnalinda Drive
Canandaigua, NY
14424

Project Type

Single-Stage
Subdivision

Project Location

4096 Onnalinda
Drive

Tax Map #

113.17-1-32.110

TYPE OF APPLICATION:

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

Applicant Request:

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

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

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

Negative Declaration Date: **AUGUST 24, 2022**

Positive Declaration Date:

Recommendation To:

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

Recommendation:

CANANDAIGUA TOWN CLERK

AUG 29 2022

Surety Requirements:

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

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THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE
ON THE FINAL PLAN BY: 2/22/23
YOU ARE RESPONSIBLE FOR REQUESTING AN
EXTENSION PRIOR TO THIS EXPIRATION DATE IF
THIS REQUIREMENT CANNOT BE MET.

Surety Release:

Certified By:

Chairperson, Planning Board

Date:

8/24/22

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING GREGORY R. & BETH D. WESTBROOK
4096 ONNALINDA DRIVE – RLD & SCR-1 ZONING DISTRICT
CPN 22-050 TM# 113.17-1-32.110
SINGLE-STAGE SUBDIVISION APPROVAL

SEQR RESOLUTION – UNLISTED ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Subdivision Plat approval to subdivide an existing 17.829 acre parcel to create Lot #1 at 13.855 Acres and containing an existing single-family dwelling, Lot #2 at 1.874 Acres, and Lot #3 at 2.110 Acres, with no new development proposed, located within the RLD & SCR-1 Zoning District, and detailed on the Single-Stage Subdivision Plat prepared by Venezia Professional Land Surveyors, dated June 29, 2022, and all other relevant information submitted as of August 24, 2022 (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 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;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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SEQR RESOLUTION – UNLISTED ACTION

- (vi) there will not be any hazard created to human health;
- (vii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (viii) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xi) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman 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.

The above resolution was offered by Charles Oyler and seconded by Scott Neal at a meeting of the Planning Board held on Wednesday, August 24, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

Mark Tolbert -	ABSENT
Scott Neal -	AYE
Bob Lacourse -	AYE
Amanda VanLaeken -	AYE
Charles Oyler -	AYE

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 August 24, 2022 meeting.

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

CANANDAIGUA TOWN CLERK

AUG 29 2022

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Short Environmental Assessment Form **Part 1 - Project Information**

TOWN OF CANANDAIGUA
 E. DEERPTON, N.Y. 14030
 JUN 1 2022

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: <i>Subdivision for Cory R. Westbrook</i>			
Project Location (describe, and attach a location map): <i>4118 Onnalinda Drive</i>			
Brief Description of Proposed Action: <i>3 Lot Subdivision</i>			
Name of Applicant or Sponsor: <i>Venezia + assoc's</i>		Telephone: <i>cell 314-6313</i> <i>396-3267</i>	E-Mail: <i>anthony@veneziasurvey.co</i>
Address: <i>5120 Laura Ln</i>			
City/PO: <i>Canandaigua</i>	State: <i>NY</i>	Zip Code: <i>14424</i>	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: <i>Town of Canandaigua Planning Bd.</i>			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <i>5.311</i> acres			
b. Total acreage to be physically disturbed? <i>0</i> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>5.311</i> acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Venezia + assoc's</u> Date: <u>6/1/22</u>		
Signature: <u>[Signature]</u> Title: <u>agent</u>		

Agency Use Only [If applicable]	
Project:	CPN-22-050 Greg Westbrook
Date:	August 24, 2022

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:		
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

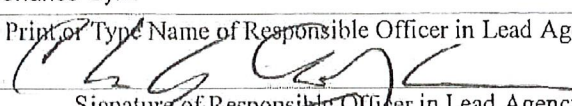
For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify 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 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 August 24, 2022 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

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<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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	August 24, 2022
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)

PRINT FORM

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING GREGORY R. & BETH D. WESTBROOK
4096 ONNALINDA DRIVE – RLD & SCR-1 ZONING DISTRICT
CPN 22-050 TM# 113.17-1-32.110
SINGLE-STAGE SUBDIVISION APPROVAL

SINGLE-STAGE SUBDIVISION PLAT APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Subdivision Plat approval to subdivide an existing 17.829 acre parcel to create Lot #1 at 13.855 Acres and containing an existing single-family dwelling, Lot #2 at 1.874 Acres, and Lot #3 at 2.110 Acres, with no new development proposed, located within the RLD & SCR-1 Zoning District, and detailed on the Single-Stage Subdivision Plat prepared by Venezia Professional Land Surveyors, dated June 29, 2022, and all other relevant information submitted as of August 24, 2022 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed one-stage subdivision application in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR); and

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

WHEREAS, on August 24, 2022 the Planning Board made a determination of significance and filed a negative declaration thereby concluding review pursuant to SEQR; 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. Single-Stage Subdivision Plat Approval with conditions specified herein is valid for a period of 180 days from today. Once all conditions of the Single-Stage Subdivision Plat Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
2. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
3. The Town Engineer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
4. Payment of a fee in lieu of a set aside of parkland shall be made at the time of issuance of a building permit pursuant to Town Code Chapter 111 and NYS Town Law for Lot 2 and Lot 3.
5. A note is to be added to the subdivision plans stating that Lot 2 and Lot 3 will be required to provide stormwater mitigation designed so that there is no net increase and demonstrates a decrease in runoff prior to any development occurring on each lot.
6. The subdivision plan is to be revised to identify all resources on the Town of Canandaigua Natural Resource Inventory (NRI) Map located on the project site prior to signatures being affixed to the plans.
7. The subdivision plan is to be revised to not include the centerline of Onnalinda Drive within the property boundary of Lot 1.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING GREGORY R. & BETH D. WESTBROOK
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SINGLE-STAGE SUBDIVISION APPROVAL

SINGLE-STAGE SUBDIVISION PLAT APPROVAL RESOLUTION

8. A note is to be added to the subdivision plans stating that site plan approval from the Town of Canandaigua is required prior to development occurring on Lot 2 or Lot 3.
9. A shared use/maintenance agreement including contribution for maintenance and repair of Onnalinda Drive, for all lots on the private drive right-of-way must be submitted by the applicant for review and approval by the Town Attorney and must be recorded prior to signatures on the final plat.
10. The subdivision plans are to be revised to label Lot #4 as “Lot #2” and all General Notes are to be updated to reflect these changes.
11. A note is to be added to the plans stating that although the existing road is compliant with the existing number of structures, as part of the site plan review process, a determination will be made by the Town's CEO and Town Engineer related to Fire Apparatus Access code compliance.
12. The existing private drive right-of-way serving the existing lot identified as Ashely Patronski and the new Lot #2 is to be extended over the existing driveway to provide legal access to these lots and is to be shown on the final plat.
13. All easements are to be submitted to the Town by the applicant for review and approval by the Town Attorney and must be recorded and filed prior to signatures on the final plat.

The above resolution was offered by Scott Neal and seconded by Bob Lacourse at a meeting of the Planning Board held on Wednesday, August 24, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

Mark Tolbert -	ABSENT
Scott Neal -	AYE
Bob Lacourse -	AYE
Amanda VanLaeken -	AYE
Charles Oyler -	AYE

CANANDAIGUA TOWN CLERK

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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 August 24, 2022 meeting.



John Robortella, Secretary of the Board L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING GREGORY R. & BETH D. WESTBROOK
4096 ONNALINDA DRIVE – RLD & SCR-1 ZONING DISTRICT
CPN 22-050 TM# 113.17-1-32.110
SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board is considering a Single-Stage Subdivision Plat approval to subdivide an existing 17.829 acre parcel to create Lot #1 at 13.855 Acres and containing an existing single-family dwelling, Lot #2 at 1.874 Acres, and Lot #3 at 2.110 Acres, with no new development proposed, and located within the RLD & SCR-1 Zoning District.
2. Detailed on the Single-Stage Subdivision Plat prepared by Venezia Professional Land Surveyors, dated June 29, 2022, and all other relevant information submitted as of August 24, 2022.
3. No site improvements are proposed as part of this application.
4. 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.
5. The EAF Part 2 and Part 3 were completed by the Planning Board.
6. The Planning Board declared themselves as lead agency and made a SEQR Determination of Significance and issued a Negative Declaration at the August 24, 2022 Board meeting, concluding SEQR.
7. Zoning Law Determination was prepared dated July 20, 2022:

DETERMINATION:

The Westbrook Subdivision map (#35644) and associated deed have been recorded with Ontario County.

Proposed Lots #4 and #3 meet all minimum area and dimensional requirements for zoning and building proposed in SCR-1 zoning district.

Proposed Lots #4 and #3 will front on a private, 40' right-of-way and private driveway.

The applicant should be prepared to discuss an area designated for fire apparatus turn-around for driveways (per 202 Fire Code of NYS Section 511.2). In a meeting with the applicant on 7/20/2022, it was suggested the turn-around area be where the private driveway currently meets Onnalinda Drive and ultimately, if needed, cut and grade for ample turning thresholds.

Site Plan approval will be required by the Town of Canandaigua Planning Board for future development.

CODE SECTIONS: Chapter §174; §220-18

8. The application was referred to the following;
 - Chris Jensen, Town CEO
 - Town Environmental Conservation Board
 - James Fletcher, Town Highway & Water Superintendent
 - MRB Group
 - Kevin Olvany, Canandaigua Lake Watershed Council
 - Cheshire Fire Department



TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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CPN 22-050 TM# 113.17-1-32.110
SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

9. The Town CEO provided these comments in an email dated July 12, 2022 and an email dated July 25, 2022:

Sent: Tuesday, July 12, 2022 1:13 PM
To: 'Shawna Bonshak'
Cc: 'LBABANT'
Subject: Subdivision - Westbrook
Attachments: Fire Apparatus Access.pdf

Shawna,

Only comment I have currently is fire apparatus access.

See attached section 511. Driveways
Turnaround(s) required
Turnouts required

Since it serves more than 4 buildings:
Section 503 applies (fire code)
20ft width

Sent: Monday, July 25, 2022 8:53 AM
To: kweed@townofcanandaigua.org
Cc: 'Shawna Bonshak'; ahirschmann@townofcanandaigua.org
Subject: RE: July Referrals

2022-049
Pdf on network is blurry...illegible

2022-050
Plan is for subdivision only. At time of site plan approval.. owner should be made aware the width of the driveway may need to be increased because number of home on the drive. Along with the possible additional of turnouts and turnarounds.

10. The Town ECB reviewed the application at their August 2, 2022 meeting.

- **Additional Comments from the ECB Meeting:**

The ECB is not reviewing this application at this time.

- **Recommendations:**

11. No comments were received from the Town Highway & Water Superintendent. .

12. MRB Group, Town Engineer, provided comments in a letter dated August 17, 2022.

13. Comments were received from Kevin Olvany, Canandaigua Lake Watershed Council in an email dated November 21, 2021:

I am trying to get caught up on some plan reviews. I was contacted by individuals on Onalinda Drive about this most current request to subdivide the parcel into lots #3 and #4. I found my email from December of 2017 on this subject and I am forwarding it again for ZBA and Planning Board review. I think these comments are still very relevant today. There are important spring and potential wetland systems that will be negatively impacted if these lots are subdivided and developed. These impacts will cascade to the road and the downhill/stream neighbors. I would also state that any additional development of this area on the west side of Onalinda Drive should be looked at under a larger common plan of development for the entire Westbrook compound. Permanent post construction stormwater controls should be required for this development. This undersized road and drainage system is negatively impacted by any additional impervious cover or removal of vegetation.

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FINDINGS

14. Comments were received from the Cheshire Fire Department in a letter dated August 8, 2022. In summary, it stated that there are “no issues getting emergency apparatus in and out of the private road, and there would be none posed by the subdivision of lots based on applications 2022-049 and 2022-050.”
15. The Planning Board has considered all documents and comments received as part of their review of the application.
16. The Planning Board makes the following findings pursuant to New York State Town Law § 277 and Town Code § 111-9.

- The Planning Board hereby finds that a proper case exists for requiring that a park be located for playgrounds or other recreational purposes on the proposed subdivision plat because of the increase in population that will be created by the proposed new developments.
- The Town Comprehensive Plan indicates that the Town is in need of more land for parks and recreation.
- The Town Parks and Recreation Master Plan indicates that the Town is in need of more land for parks and recreation.
- The proposed subdivision includes a total of 2 new homes, many of which will be occupied by families with one or more children.
- The proposed subdivision will increase the Town’s population.
- This increase in population will intensify the need for land to be used for parks and recreation.
- A suitable park of adequate size to meet the Town’s needs cannot be properly located on the proposed subdivision plat.
- The area of the proposed subdivision will include residential lots. Adequate land for dedication of parkland is not available on the proposed subdivision plat.
- There is not an existing park in the vicinity of the proposed subdivision.
- A fee in lieu of parkland shall be paid at the time of issuance of building permits in the amount per family dwelling unit as established by the Town Board pursuant to Town Code § 111-8.

17. The Planning Board makes the following findings pursuant to Town Code §174 Subdivision of Land Article II Procedures and Applications:

Land shall be suited to the purposes for which it is to be subdivided. Regardless of whether or not development is proposed, Planning Board decisions regarding subdivisions shall be accompanied by findings regarding whether or not:

- A. Review of the proposal was completed in compliance with applicable procedural requirements.

Consensus: Planning Board concurs.

- B. The proposal clearly and accurately describes the proposed lots as well as proposed development of same.

Consensus: Planning Board concurs.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING GREGORY R. & BETH D. WESTBROOK
4096 ONNALINDA DRIVE – RLD & SCR-1 ZONING DISTRICT
CPN 22-050 TM# 113.17-1-32.110
SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

- C. Resulting lots are sized and arranged to allow reasonable development and use in compliance with existing Town Code requirements and the intent of this chapter.

Consensus: Planning Board concurs.

- D. Subsequent use and development of the lots will be unduly limited by easements, deed restrictions or other encumbrances.

Consensus: Planning Board concurs. Easements currently exist for vehicular access and utilities which will provide for future development.

- E. Proposed lots and development provide for:

- 1) Safe and efficient vehicular and pedestrian access.

Consensus: Planning Board concurs. Access to the lots is provided by an existing private road.

- 2) Sufficient space for on-site parking, loading and unloading and similar activities.

Consensus: Planning Board concurs.

- 3) Adequate emergency access.

Consensus: Planning Board concurs, based upon statements provided by the Fire Chief and the Town Code Enforcement Officer.

- 4) Proper drainage in compliance with Chapter 165 of Town Code and current NYSDEC requirements.

Consensus: Planning Board concurs. Details of the applicant's stormwater mitigation measures will be determined upon review of prospective site plan application(s) upon submission.

- 5) Safe and sufficient water supply.

Consensus: Planning Board concurs.

- 6) Proper sewage disposal.

Consensus: Planning Board concurs.

- 7) Proper access to other available utilities such as gas, electric and telephone.

Consensus: Planning Board concurs.

- F. Resulting development will have an undue negative impact on the safety and efficiency of the existing road network.

Consensus: Planning Board concurs. The current subdivision application (3 lots) does not exceed State and local thresholds which would require mitigation on the existing road network (Onnalinda Drive). The current subdivision application is not making the use and condition of Onnalinda Drive better, but that with future development of the two new lots it may make it incrementally worse. The subdivision will not add motor vehicle traffic to Onnalinda Drive and that prospective future site plans for new homes on the lots would only affect the area of the road along the frontage of the lots down to West Lake Road (County Road 16).

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FINDINGS

- G. Resulting development will have an undue negative impact on neighboring properties.
Consensus: Planning Board does not concur. With adequate stormwater controls, development will hopefully improve conditions to the neighbors.
- H. Proposed lot layouts and development are designed and arranged to minimize modification of existing landforms, including rock outcroppings, hilltop lookouts and natural contours.
Consensus: Planning Board concurs. Any Natural Resources Inventory features on the site have been untouched.
- I. Proposed lot layouts and development are designed and arranged to avoid impacts to natural features identified in the Natural Resources Inventory.
Consensus: Planning Board concurs. A note is to be added to the subdivision plat that the Natural Resources Inventory has been completed and delineated for each of the lots.
- J. Proposed lots and development avoid, to the extent practical, negatively impacting culturally and historically significant features.
Consensus: Planning Board concurs. No culturally and historically significant features have been found in the State Environmental Quality Review (SEQR) research.
- K. Proposed lots and development avoid encroaching on areas subject to periodic flooding. Where avoidance of such areas proves impractical, such measures, as required in Chapter 115 of the Town of Canandaigua Code, Flood Damage Prevention, will be taken to minimize potential for flood damage to proposed improvements and adjoining properties.
Consensus: Planning Board concurs. To be addressed with site plan review.
- L. Outdoor lighting shall be dark-sky-compliant in accordance with the provisions contained in § 220-77 of the Town Code.
Consensus: Planning Board concurs. To be addressed with site plan review.
- M. The subdivision design allows the continuation of agricultural practices on the balance of the site and/or surrounding parcels and considers the effects such design shall have on minimizing the impedance of such practices.
Consensus: Planning Board concurs.
- N. The subdivision design follows the Town's adopted Site Design and Development Guidelines as well as the Shoreline and Ridgeline Development Guidelines.
Consensus: Planning Board concurs. To be applied with site plan submission.