

Lawrence R. and Susan G. Cook
4125 Onnalinda Drive
Canandaigua, NY 14424
Phone 585-396-8600

10-18-17
Rec'd 45417
J. Seawarts

October, 16, 2017

Town of Canandaigua Planning Board Members

Re: Corey Westbrook CPN # 045-17 Subdivison Application At
4118 Onnalinda Drive

We respectfully submit this package of information for your
review prior to the October 24, 2017 Planning Board meeting.

The package includes:

1. Our letter to the Planning and Zoning Boards with an
attached list of Key Arguments and the flash drive in 2. below.
2. Flash drive with images and videos documenting key issues
supporting our request to deny the referenced application. They
illustrate the water discharge/drainage, traffic volume, safety,
accidents, lack of parking, obstruction of private driveway for
use by residents and other related problems. A spreadsheet
which categorizes and describes each image or video. A hard
copy, as well as a flash drive file is enclosed.
3. Onnalinda Drive Traffic Survey indicating how the traffic
volume has increased over the past number of years,
especially since the year 2009 CPN # 009-09 eight lot
subdivision request. A hard copy, as well as a flash drive file
is enclosed.

Page 2--Package

4. Copies of opposition letters from neighbors from the 2009 application, Fire Department input from Bob Case, Highway and Water Department input from Jim Hecker, and the local realtor input from Bob Oldfield on the effect the subdivision would have on Onnalinda Drive property values. Also, minutes of the April 8, 2009 Ontario County Planning Board review of this application. This information is just as relevant now with respect to the current application, as it was in 2009 (CPN # 009-09) or the earlier 2005 four lot subdivision (CPN # 134-05).
5. Maps #1 and #2 with an overall perspective of Onnalinda Drive and how the requested subdivide lots are located adjacent to the steep entry curve.

Sincerely,



Lawrence R. Cook & Susan G. Cook

Lawrence R. and Susan G. Cook
4125 Onnalinda Drive
Canandaigua, NY 14424

October 12, 2017

Town of Canandaigua Planning Board and Zoning Board of Appeals
Attention: Eric Cooper, Town of Canandaigua Zoning Officer
5440 Route 5 & 20 W.
Canandaigua, NY 14424

Reference: Cory Westbrook Subdivision Request For A Three Lot Subdivision at 4118 Onnalinda Drive (CPN # 045-17, Dated 6/16/17)

- Enclosures:
1. Key Arguments Against The Westbrook Subdivision Proposal
 2. Flash Drive With Pictures, Videos, and Related Documentation Supporting Opposition Of Westbrook Subdivision And Access To It Via Onnalinda Drive
 3. Traffic Survey, July 1017
 4. Maps #1 and #2 with an overall perspective of Onnalinda Drive and how the requested subdivide lots are located adjacent to the steep entry curve.
 5. Opposition letters and related documents from the year 2009 (CPN # 009-09) eight lot subdivision.

- Refer To:
1. Opposition Letters From April-June, 2009 Planning & Zoning Board File On Greg Westbrook's Request For An Eight Lot 4118 Subdivision, Onnalinda Drive Which Included 4056 County Road 16 (Jim Goddette) Property These Letters Are Applicable To The Cory Westbrook Subdivision As Well. The Lots #2A, #3 and #4 were part of this subdivision. They include many resident letters and those from the Canandaigua Fire Department, Town of Canandaigua Highway & Water Department, Ontario County Planning Board, And MRB Group. This 2009 subdivision of 4118 failed to get Planning Board approval. Please refer to the Town of Canandaigua Development office files for further detailed information (CPN-009-09 Dated February 12, 2009)
 2. Greg Westbrook's four lot subdivision request (CPN # 134-05) on his 4096 adjoining property to the north of 4118 property. This application also failed to get Planning Board approval. The opposition letters and related information is also applicable to the current application.

Dear Board Members:

We own the property at 4125 Onnalinda Drive and have lived there for 44 years. Our property is located directly in front of the proposed subdivision and we own a portion of Onnalinda Drive which would have to be used to access these lots. Your complete denial of this application is requested.

One of the reasons we purchased our home on Onnalinda Drive was that we were told by the George Case, who at the time lived in 4137 Onnalinda Drive that the land on the west side off Onnalinda Drive was never intended for development. His father Marion Case, the developer of the Onnalinda Drive tract of homes bordering on County Road 16, felt that the land on the west side of Onnalinda Drive was suitable only for a grape vineyard. It has a steep slope and poor soil percolation due to its glacial material make up of clay and sedimentary rocks.

The private drive now called Onnalinda Drive was designed to be only for the houses on the east side of Onnalinda Drive bordering on County Road 16. It's narrow width and poorly maintained right of way barely supports current traffic. Additional development with houses on the west side of Onnalinda Drive would further jeopardize people using the driveway and increase the risk of serious accidents.

During our tenure on Onnalinda Drive we have experienced many drainage and flooding problems from the land now owned by Cory Westbrook at 4118 Onnalinda Drive (approximately 12 acres). This land was purchased by Greg Westbrook in 2009 and later transferred to his son Cory Westbrook in 2011.

Our objections to this subdivision include the following:

First, this section of Onnalinda Drive is the most dangerous section of our single lane private driveway. Proposed lots #3 and #4 are adjacent to the steep, 90 degree curve on the south end of Onnalinda Drive which is the only way in and out of our residences. Numerous accidents have occurred with frequent "near misses" and vehicles backing up into driveways or pulling into the drainage culverts to get by each other. The area is no place to subdivide lots for eventual sale and new home construction let alone add additional entrance driveways into proposed lots #3 and #4 which would add to congestion and any road blockages, especially in the winter. There is no formal association to maintain Onnalinda Drive, which includes winter snowplowing. The speed of residents' vehicles, contractors, and other service providers is very excessive, usually exceeding our posted speed limit of 10 mph to 25-35 mph. There is no off street parking and construction/service vehicles regularly block and impede travel for residents. Some are documented in the pictures on the attached flash drive for your viewing of pictures and videos, as well as some of the speeding vehicles going into and out of this proposed subdivide area. Vehicles using Onnalinda Drive have increased over 60% since year 2009. Refer to Traffic Survey Enclosure # 3.

Secondly, the 4118 property has an extremely steep slope of greater than 10%, made worst when it rains by the low capability of the soil to absorb rain water. Also, natural springs though out the hill side, discharge additional water during spring run off and rain storms. Water flows during "wet periods" which occur year round, down the slope on 4096 and 4118 properties and on to proposed lots #2A, #3, and #4 which are requesting subdivide approval. The property at the north of 4118 at 4104 Onnalinda Drive owned by Mary Prince and Tom Walters, also has had continuing problems with water flowing onto their lot and into their basement from 4118 Onnalinda Drive and the adjoining 4096 Onnalinda Drive with similar slope and topography composition owned by Greg Westbrook. Water sheeting during storm events moves south and east into the proposed lots #2A, #3 and #4.

The 4118 property requesting subdivision to the south of 4096 has a paved driveway know as "Perrin Alley" which receives the water discharged from 4096 and propels it down this paved driveway. It continues on heading east during rain storms and run off periods causing damage to the Onnalinda Drive pavement, and adjacent properties at 4125 Onnalinda Drive and 4137 Onnalinda Drive owned by Ki Sohn and his wife. This property is also not suitable for building, as it has a steep slope, open wells and numerous springs. Kevin Olvany, Canandaigua Lake Watershed Council had first hand experience with both these properties and has walked the property in the past. He has been quoted as saying land like this is "always an issue when you are dealing with steep slopes and elevation changes". Recent videos and pictures documenting the devastating water discharge from the 4118 property's entrance driveway are provided for your viewing on the attached flash drive. Significant damage to the new pavement and shoulders has already been caused by hundreds of construction vehicles using Onnalinda Drive during the building of the new Westbrook's two residences in 2016-2017 and the frequent storm events causing water discharge from 4118 entrance driveway (proposed lot #2A) and adjoining Westbrook land.

Finally, additional subdivision of land of the 4118 Onnalinda Drive land would "irrevocably alter the pristine, rural nature of the hillside, thus creating an undesirable change in the character of the neighborhood". "In my considered opinion, thus would negatively affect the property values of existing residents currently on Onnalinda Drive." "Lack of off street parking is also a concern on Onnalinda Drive and further development would only make matters worse." These quotes are from a letter to the Planning Board in the Spring of 2009 by Robert Oldfield, a licensed associate real estate broker with Michael Pierson, Jr. Inc. This letter of opposition pertained to the eight lot subdivision Greg Westbrook failed to gain Planning Board approval in the first half of 2009. Proposed Lots #2A, Lot #3 and Lot #4 were included in these proposed with lots.

Page 4- Cook Letter To ZBA & Planning Board On CoryWestbrook 4118 Subdivision

In conclusion, we want to be clear about the lack of opposition to the two houses that Greg Westbrook has recently built in 2016-2017. They are at the top of the hill on the western side of 4118 and 4096 Onnalinda Drive properties, accessed by a long driveway connecting them to Onnalinda Drive on its northern end. They have been built so close to the Morrell development boundary line that they appear to be part of this development and are barely visible from Onnalinda Drive. While they have a deeded right of way, and deed access off Onnalinda Drive, the perception may be drawn is that they are not part of our Onnalinda Drive community and to our understanding of information from involved neighbors, have failed to pay their full proportionate share of road maintenance in the past years as specified in all of our property deeds. They make use of connections to the utilities from the Morrell development for sewer, water and gas. The main residence for Greg Westbrook house, avoided Planning Board approval through a zoning district "loop hole" within which his land is included.

Onnalinda Drive is the only way for all resident and service provider vehicles to access our houses and garages. When Onnalinda Drive is frequently obstructed (Not If), by accidents, parked vehicles on the shoulders and pavement, water discharge during storm events and snow/ice with pavement narrowing from 13 feet on to 9 feet on the entry curve; during the winter, causing residents to park on County Road 16, there is no vehicular access to our homes. Construction vehicles during the latest 2016-2017 building of the two houses on the Morrell boundary line at the top of 4118 and 4096 properties provided many situations where the complete roadway was obstructed and resident vehicles could not pass. Please refer to the pictures on the flash drive in the Construction Category. Excavation/development of lots #3 and #4 with the follow on building of houses would create an intolerable situation and a constant threat to safety on this water saturated land. Attempted clearing and installation of drainage tiles would end up with the same resulting water discharge on to adjoining property, and directly into the lake.

Any further construction efforts adjoining this entry curve, would be a recipe for accidents, placing residents lives and their vehicles in peril and be a constant threat to safety. Included in construction would be the removal of large trees, shrubs and vegetation ground cover which would make water discharge even more destructive than currently. Stone, debris and silt litter Onnalinda Drive from 4118 each time we have strong rainstorms which cause more hazards for entry and exit from Onnalinda Drive on to the West Lake Road.


If homes were to be built the proposed subdivided lots runoff from lawns filled with pesticides and fertilizers would flow directly into the lake via a culvert pipe by 4137 red storage shed , under the West Lake Road and out into the lake by the 4137 boat house. Ki Sohn and his family cannot swim in the water at after storm events, as the water is filled with silt and contaminates today and would be worst if these lots were to be built on. A good example of this is when Greg Westbrook owned 4104 Onnalinda Drive in the summer of 2003, now owned by Mary Prince and Tom Walters, a faulty fuel oil tank in the front yard leaked and expelled oil down the Onnalinda Drive in like manner and flowed by these proposed lots into the lake. DEC and an Oil Spill Cleanup Crew had to be called for cleanup and an oil containment boom installation in the lake (refer to enclosed flash drive pictures image 16 and 17 . No swimming for the Ki Sohn family and many adjoining properties that summer.

We request that you review carefully the flash drive pictures and videos in Enclosure 2. A picture or a video can be worth a thousand words. They graphically show with their categorized descriptions the issues of which are the basis of our objections and the Onnalinda Drive environment in which we live. Allowing this subdivision would pave the way for additional development on increasingly worsening conditions for our residents.

Also, we are asking you to review the referenced subdivision requests of year 2009 (CPN # 009-09) and year 2005 (CPN # 134-05). Digitizing the application folders would probably make their review easier.

Please take all of this information into consideration, as you make your decision on this subdivision request. We are strongly opposed to the approval of this subdivision or any subdivision which uses Onnalinda Drive to access County Road 16 (West Lake Road).

Sincerely yours,


Lawrence R. Cook & Susan G. Cook

Key Arguments Against The Cory Westbrook Subdivision Proposal
August 4, 2017

1. Cory Westbrook is demanding the use of Onnalinda Drive as their primary main access to lots #3 and #4 for his 4118 subdivision request. The current roadway is greatly over burdened, as it is a narrow single lane private driveway that was originally designed to service 13 original residences.
2. The addition of Greg and Cory Westbrook's houses along the western boundary of the 4118 and 4096 properties and the renters occupying the former George Perrin house and adjoining apartment in the barn has greatly increases vehicle traffic in the area of proposed lots #3 and #4.
3. There is one access point to Onnalinda Drive off County Road 1. Onnalinda Drive has no exit, i.e. a dead end at northern most point. Also, it has a dangerous, steep entry hill only 13 feet of pavement where 20 feet is required with a deep culvert on the west side. Only one car can go up or down at a time.
4. No formal Property Association exists to maintain Onnalinda Drive. It has been constructed as a household driveway and has just a few inches of base, no shoulders, no concrete culverts, and no storm drains, as a "Town or County Spec" roadway would have.
5. The lot owned by the 4045 County Road 16 property which adjoins the dangerous entry hill is used as an overflow parking lot for renter's cars, trucks and boat trailers. The lot is across the driveway from the Lot #3 and #4 area.
6. The 4029 Onnalinda Drive property owners operate an Arbnb rental operation in their basement which year around provides added vehicles in and out across from proposed Lots # 3 and #4.
7. The integrity of Onnalinda Drive has been greatly impacted by the hundreds of construction vehicles used to support the building of Cory and Greg Westbrook's two houses on the northern boundary of their properties adjoining Onnalinda Drive. The Westbrook's, visitors and service providers all must use Onnalinda Drive to access their properties and a large storage barn also built on the 4096 property.
8. Water runoff and discharge from the 4118 property, especially its entry driveway have damaged the soft gravel shoulders, adjoining pavement, and our drainage system. Vehicles not staying on the pavement could end up in the ditch and be damaged on the steep entry hill.

Page 2— Key Arguments Dated August 4, 2017

9. Water discharge from the 4118 driveway has flowed on to 4117, 4137 and 4125 properties numerous times causing significant damage to the 4125 property, most recently on two occasions, April 20-21, 2017 and June 15, 2017.
10. Driveway entrances for the proposed Lots #3 and #4 would block the flow of water discharged from the 4118 driveway and property to the north. Note during storm events the ditch line runs almost full as it flows to the south and into a pipe and across County Rd 16 and into Canandaigua Lake.
11. Currently resident vehicles numbering over 45, go in and out pass Lots #3 and #4 at least 4 times per day which means approximately 180 passes in or out per day. This number does not include service provider vehicles, FedEx truck, UPS trucks, RGC, NYSEG and countless others. Many times larger vehicles block the road so residents must back up to the north to pull off on the pavement on to lawns or into the ditch line to let the larger vehicles pass.
12. Last time the Westbrook's tried to subdivide property for the sale and building of residences was in February, 2009 with an 8 lot subdivision which included the property of the proposed lots #3 and #4. The proposal failed to get Town of Canandaigua Planning Board approval. There has been over a 40% increase on road traffic on Onnalinda Drive since this failed attempt per one residents approximation. Our traffic intensity and volume on Onnalinda Drive, especially in the area of lots #3 and #4 has been greatly increased and problems compounded with near misses and two vehicles trying to use the steep entry/exit turn area at a time, along with people driving much faster than posted 10 miles per hour, sometimes up to 30-40mph headed into the turn or exiting it.
13. There is no off street parking on Onnalinda Drive, and especially bad during holidays when visitors partially block the pavement and park in ditch lines on the soft gravel shoulder. There is no control over where vehicles of all kinds park both day and night.

14. Numerous accidents have occurred at the steep entry curve off County Road 16 (West Lake Road), especially during winter months. Only a tow truck can remove vehicles from the ditches on each side of this curve. A posted 10 mph sign is generally ignored and residents of 4137 Onnalinda Drive (Ki Sohn residence) are afraid to pull in and out of their garage, as many near misses regularly occur. This entry curve is adjoining proposed lots #3 and #4 and is the extremely high vehicle volume, especially during summer and year around holidays.

14. In winter fire trucks, ambulances and other emergence vehicles may not be able to travel up Onnalinda Drive. Note, the other residences, except for one built over 30 years ago, adjoin County Road 16 and can get these services via this county road. While residents have Onnalinda Drive plowed in the winter, many times it is impossible to get up the hill and residents have to park their cars in front of their property on County Road 16.

15. Parked cars either on the pavement, or on the shoulder, make snow removal difficult or sometimes impossible. A small turnaround at the north end is designed for small vehicles and cannot accommodate large vehicles such as the Fire Department's larger fire fighting equipment. While Westbrook's may claim smaller fire trucks can drive up Onnlinda Drive, the turn around at the end is often blocked with neighbors and visitors cars and narrowly plowed in winter. Maintenance in no way is anywhere close to that of the roads the Town and County plow and salt in the winter.

16. Development of these 2 lots #3and #4 would add to the already severe water runoff problems that present owners experience from water coming across the Westbrook property at 4118 Onnalinda Drive, coming down from the higher elevations to the west of Onnalinda Drive. Removal of natural ground cover, replacing it with pavement and open areas to support the 3 lots being proposed, would create an unmanageable problem on top of the one which already exists. A creek runs through the Godette property to the south of Ki Sohn's 4137 Onnalinda Drive red accessory shed, bordering our steep entry drive. Also, during rain storms, water flow from Westbrook's 4118 Onnalinda Drive property creates pooling of water and small creeks in several spots. This water flows on to the four or five properties to the east of Onnalinda Drive and into many of these homes during storm events, starting with 4137 Ki Sohn going north. Our culvert and drainage ditch, bordering the southern portion of Onnalinda Drive is only marginally effective to handle our current water problems let alone the water management issues with the proposed subdivision. It could not handle additional runoff from lots #3 and #4.

Page 4—Key Arguments Dated August 4, 2017

17. In November, 2005 Westbrook sought approval for a 4 lot subdivision on his 4096 Onnalinda Drive (16 plus acres) which abuts the 4118 Onnalinda Drive property to the north, offering a “conservation easement” for over half of this land”. This “conservation easement” was advertised as “protection of the property in its natural state and open space condition to ensure the quality and quantity of water resources for Canandaigua Lake, serve as a corridor for wildlife movement and a natural greenway, and a buffer between surrounding developments in the immediate vicinity.” Due to significant opposition from the concerned residents of Onnalinda Drive and the Town of Canandaigua, Westbrook withdrew his application for subdivision approval and area variances involved with this proposal in January, 2006. Mr. Westbrook had full knowledge of the problems confronting him when he bought the 4118 Onnalinda Drive property in November, 2008. He experienced first hand the discharge of chemicals and pollutants from property on the west side of Onnalinda drive 4104 Onnalinda Drive which flowed down the road culvert going south past the 4118 property and into Canandaigua Lake. DEC and clean up crews were called. Weeks of clean up and lake pollution followed. It appears that greed and profit motivation have replaced any concern about the protection of environmental green space, water runoff dangers, quality of Canandaigua Lake water, and further Canandaigua Lake water shed development.

18. Granting the request for this subdivision would negatively impact and decrease the value of the property owned by the present Onnalinda Drive residents. It would also dramatically change the character of the neighborhood, altering the pristine, rural nature of the land on the west side of Onnalinda Drive. Bob Olfield’s letter from 2009 attests to this fact.

Page 5—Key Arguments Dated August 4, 2017

19. The only way in and out for residents is via our one lane driveway. If this is blocked no vehicles, fire departments, police, emergency responders, service providers or anyone else could enter or leave. This situation does not support any further development of the 4118 property and any further subdivision requests, including the one being presented in behalf of Cory Westbrook on August 22, 2017.
20. Almost all the information, documents, pictures and letters of opposition are pertinent and pertain to the current 4118 subdivision request, as much as they did in the 2009 8 lot subdivision request that Greg Westbrook do not gain approval for. Only water and sewer, if they allowed to hook up may be different. Safety, access, drainage, runoff, etc. are as bad if not more so today as in 2009 due to Westbrook's development efforts in the last 2 years.
21. Despite posted signs of 10 mph speed limit being posted since 2009, vehicles going in and out of Onnalinda Drive in the area of proposed lots #3 and #4 regularly go up to 30-40 mph. This makes using Onnalinda Drive in the area a very dangerous experience.
22. Proposed driveways for Lots #3 and #4 are in front of 4125 and 4129 properties driveways, creating an unsafe situation. In the last proposal in 2009 to subdivide these lots the driveway entrances were from the west with access gained via 4118 current driveway. Green space should be dedicated at least 30-40 feet deep along the eastern boundaries of these lots as part of the current submission.

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23. Cory Westbrook has listed lots #3 and #4 with Jim Griffith at Remax for \$55000 each on 7/1/17 even before he has subdivision approval. This demonstrates the profit motivation behind the subdivision request. There is no hardship here.
24. Construction vehicles supporting the construction of houses on lots #3 and #4 would impede and block the only access we have to Onnalinda Drive. We have had continuing problems with this such as the recent addition to Bob Papenfuse property at # 4113 Onnalinda Drive and the continuing 401604017 construction of two houses by the Westbrooks. Contractors and their equipment is parked in on the pavement and shoulders, impeding and blocking residents access. Problems in this regard for Lots #3 and #4 would be even worse.
25. Concerns have been documented in the past by the former Canandaigua Fire Chief Robert Case that our driveway does not meet Town of Canandaigua code regulations of 20 feet, being 10-12 width in some places. Only one car can be on the pavement at a time. The turnaround at the end of Onnalinda Drive does not meet NYS uniform code and is sometimes blocked by residents using it for overflow parking. Winter conditions of snow and ice on the driveway may also cause access problems for fire trucks, as Onnalinda Drive is not maintained by plow contractors with same frequency, diligence, and effectiveness that Town and County crews provide. Please note any input from Cheshire Fire Department Chief or staff should be taken under advisement that Cory Westbrook is a volunteer fireman with the department. He was observed in a Cheshire Fire Department fire truck on Onnalinda Drive in the early morning pre dawn hours of November 5, 2016 heading north with lights out in a secretive manner. He or the fire chief, probably will say that the fire truck can get up Onnalinda Drive and turn around which may not be true in winter or when the driveway pavement is constricted with cars and truck, including the turnaround a the north end.

ENCLOSURE 2

8/6/2017

Image # Video # Cat # Description

File Labeled 4118 Sub Divide Final 7-13-17 (rows 9-105 below)

129.JPG	07DMOV	284	Water flows from springs 247/ into driveway culvert at the site of proposed lot #4 of the proposed 4118 subdivision & road damage from 4118 proposed lot 2A entrance driveway.
136.JPG	028MOV	2	Storm event water discharge coming down 4118 driveway entrance from the northeast corner of 4118/4096 property, refer to 751.JPG water flowing from the northwest 8/15/17
344.JPG		7	Construction material delivery truck in front of subdivision lots.
630.JPG		7	Construction material delivery truck in front of subdivision lots, only one vehicle can travel at a time, one must back up and make way for the other
750.JPG		7	Construction vehicles make use of Onnalinda Drive difficult and impossible at times
751.JPG		7	Construction vehicles make use of Onnalinda Drive difficult and impossible at times, and damage our roadway.
836.JPG		2	Water discharging from 4118 driveway (proposed lot 2A) flows are coming from the north east section of 4118 and 4096 properties, and has increased since 4096 excavations.
849.JPG		2	Water discharging from 4118 driveway (proposed lot 2A) flows are coming from the north east section of 4118 and 4096 properties, and has increased since 4096 excavations.
859.JPG		7	Construction vehicles make use of Onnalinda Drive difficult and impossible at times, as this picture on steep entry curve shows
867.JPG		1	Construction vehicles make use of Onnalinda Drive difficult and impossible at times, as this picture on steep entry curve shows
42211038		1	Safety issues are always on concern on the steep entry 90 degree sloping turn, providing a blind spot and very short field of vision for lot #3 and #3 proposed lot subdivisions.
0516140629.JPG		4	Current photo shows a non existent road shoulder from 4118 water discharge damage and the vegetation that fills the drainage ditch system which impedes water flows
0516140630.JPG		2	Water discharging from 4118 property (proposed lot #3 and #4) flows constantly 24/7 and more vigorously during storm events into Onnalinda Drive culvert, pipe then into the lake
0516140634b.JPG		4	Water discharging from 4118 and 4096 property to the north across 4104 property.
0516140635.JPG		2	Water discharging from 4118 property (proposed lot #3 and #4) flows constantly 24/7 and more vigorously during storm events into Onnalinda Drive culvert, pipe then into the lake
0704121815.JPG		2	Water discharging from 4118 property (proposed lot #3 and #4) flows constantly 24/7 and more vigorously during storm events into Onnalinda Drive culvert, pipe then into the lake
0704121816a.JPG		5	Parked cars regularly restrict access and reduce line of sight on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in front of proposed lots#3 and #4
0830141834.JPG		6	Arthub rental customers at 4129 and 4145 County Rd 16 vacant lot for overflow renters cars, truck and boat traffic add to congestion and safety issues by lots #3 and #4
1214131426.JPG		5	Parked cars regularly restrict access on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in front of proposed lots#3 and #4
Image-01.jpg		3	Accidents in front of 4118 Onnalinda Drive on steep, 90 degree, sharp entry curve, in the area bordering the proposed subdivided lot's eastern boundaries
Image-02.jpg		3	Accidents in front of 4118 Onnalinda Drive on steep, 90 degree, sharp entry curve, in the area bordering the proposed subdivided lot's eastern boundaries
Image-03.jpg		8	Winter time adds additional problems for all vehicles, with single lane pavement which is only 13 feet width on the steep entry hill narrowing after plowed on an irregular basis
Image-04.jpg		5	Parked cars regularly restrict access and reduce line of sight on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in front of proposed lots#3 and #4
Image-05.jpg		5	Parked cars regularly restrict access and reduce line of sight on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in front of proposed lots#3 and #4
Image-06.jpg		4	Water discharging from 4118 and 4096 property across 4104 property flowing south along Onnalinda Drive.
Image-07.jpg		4	Water discharging from 4118 and 4096 property across 4104 property flowing south along Onnalinda Drive.
Image-08.jpg		4	Water discharging from 4118 and 4096 property across 4104 property flowing south along Onnalinda Drive.
Image-09.jpg		4	Water discharging from 4118 and 4096 property across 4104 property flowing south along Onnalinda Drive.
Image-10.jpg		4	Water discharging from 4118 and 4096 property flows down Onnalinda Drive and into the lower level of 4137 property.
Image-11.jpg		2	Water discharging from 4118 driveway (proposed lot 2A) flows are coming from the north east section of 4118 and 4096 properties, and has increased since 4096 excavations.
Image-12.jpg		4	Water discharging from 4118 and 4096 property flows down Onnalinda Drive and into the lower level of 4117 property and on to 4125 property behind garage washing out landscaping
Image-13.jpg		4	Water discharging from 4118 and 4096 property flows down Onnalinda Drive and into the lower level of 4117 property and on to 4125 property behind garage sand bags installed
Image-14.jpg		4	Water discharging from 4118 and 4096 property flows down Onnalinda Drive and into the lower level of 4117 property and on to 4125 property behind garage sand bags installed
Image-15.jpg		4	Pictures of oil spill flowing south in the Onnalinda Drive ditchline pass proposed lots #3, #4 and #2A and into Canandaigua Lake illustrates the runoff danger of pesticides/chemicals
Image-16.jpg		4	Pictures of oil spill flowing south in the Onnalinda Drive ditchline pass proposed lots #3, #4 and #2A and into Canandaigua Lake illustrates the runoff danger of pesticides/chemicals
Image-17.jpg		5	Parked cars regularly restrict access and reduce line of sight on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in front of proposed lots#3 and #4
Image-18.jpg		5	Parked cars regularly restrict access and reduce line of sight on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in front of proposed lots#3 and #4
Image-19.jpg		8	Winter time adds additional problems for all vehicles, with single lane pavement which is only 13 feet width on the steep entry hill narrowing after plowed to 9 ft, no shoulder
IMG_0104.JPG		5	Parked cars regularly restrict access and reduce line of sight on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in front of proposed lots#3 and #4
IMG_0310.JPG		6	Arthub rental customers at 4129 and 4145 County Rd 16 vacant lot for overflow renters cars, truck and boat traffic add to congestion and safety issues by lots #3 and #4
IMG_0311.JPG		7	Construction vehicles make use of Onnalinda Drive difficult and impossible at times, during 4096 property development which was not brought before Planning Board for approval
IMG_0422.JPG		3	Accidents in front of 4118 Onnalinda Drive (proposed lot #2A) due to deep drainage ditches and narrow access driveway for trucks
IMG_0469.JPG		7	Construction vehicles make use of Onnalinda Drive difficult and impossible at times
IMG_0644.JPG		6	Arthub rental customers at 4129 and 4145 County Rd 16 vacant lot for overflow renters cars, truck and boat traffic add to congestion and safety issues by lots #3 and #4
IMG_0648.JPG		7	Construction vehicles and service vehicles make use of Onnalinda Drive difficult and impossible at times
IMG_0648.JPG		7	Construction vehicles and service vehicles make use of Onnalinda Drive difficult and impossible at times
IMG_0650.JPG		7	Construction vehicles and service vehicles make use of Onnalinda Drive difficult and impossible at times
IMG_0654.JPG		7	Construction vehicles and service vehicles make use of Onnalinda Drive difficult and impossible at times
IMG_0659.JPG		5	Parked cars during a night time party restrict access, limiting line of sight on the single lane Onnalinda Drive making travel dangerous in front of proposed lots#3 & #4

File Labeled 4118 Water Discharge 2017 (rows 110-136)

2

Exclusions 2 (4/20/17)

8/6/2017

Images Videos
Proposed Corey Westbrook
Subdivision

- | | |
|----------|--|
| 753.JPG | 2 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117 and onto 4125, 6/15/17 storm |
| 754.JPG | 3 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117 and onto 4125, 6/15/17 storm |
| 755.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 761.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 762.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 763.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 771.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 773.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 778.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 830.JPG | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/15/17 storm |
| 1698.JPG | 4 Onnalinda Drive pictures of how it looked in 2011 after our 2.3 year road project costing approximately \$60,000 after final sealcoat on new pavement, compare this to current damages |
| 1702.JPG | 4 Onnalinda Drive pictures of how it looked in 2011 after our 2.3 year road project costing approximately \$60,000 after final sealcoat on new pavement, compare this to current damages |
| 1703.JPG | 4 Onnalinda Drive pictures of how it looked in 2011 after our 2.3 year road project costing approximately \$60,000 after final sealcoat on new pavement, compare this to current damages |
| 1705.JPG | 4 Onnalinda Drive pictures of how it looked in 2011 after our 2.3 year road project costing approximately \$60,000 after final sealcoat on new pavement, compare this to current damages |
| 1706.JPG | 4 Onnalinda Drive pictures of how it looked in 2011 after our 2.3 year road project costing approximately \$60,000 after final sealcoat on new pavement, compare this to current damages |
| 1874.JPG | 4 Onnalinda Drive pictures of how it looked in 2011 after our 2.3 year road project costing approximately \$60,000 after final sealcoat on new pavement, compare this to current damages |
| 2852.MOV | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 7/13/17 storm |
| 2853.MOV | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 7/13/17 storm |
| 3084.MOV | 4 Storm event water discharge from 4118 driveway entrance, flowing across Onnalinda Dr onto 4117, 6/30/17 storm |

Categories of Videos and Pictures Supporting Opposition to the 4118 Cory Westbrook Subdivision Application For Town of Canandaigua Planning and Zoning Boards
(Note most of recent storm pictures are dated, latest storm events are from 4/20/17-4-21/17 and 6/15/17)

1. Safety hazard from fast moving traffic, i.e. car, trucks and service vehicles, especially in front of proposed lots #3 and #4 which are currently for sale.
2. Water discharge from 4118 Onnalinda Drive entrance driveway (proposed lot 2A), natural springs on lots #3 and #4, and general runoff. Excavating and clearing this land would add to water discharge problems and runoff into the lake.
3. Accidents in front of 4118 Onnalinda Drive on steep, 90 degree, sharp entry curve, in the area bordering the proposed subdivided lot's eastern boundaries.
4. Damage to resident's property and Onnalinda Drive pavement and road shoulders from water and contaminate discharge from 4118 Onnalinda Drive property, and also fuel oil spill from Westbrook owned 4104 property in year 2003.
5. Parked cars regularly restrict access on the single lane Onnalinda Drive pavement and gravel shoulders impeding travel in and out due to no "off street parking".
6. Airbnb rental customers at 4129 and 4145 County Rd 16 vacant lot for overflow renters cars, truck and boat traffic add to congestion and safety issues by lots #3 and #4 which shows there driveway entrances directly adjoining these vehicles going in and out.
7. Construction and service vehicles add an exponential dimension and volume to blocking and impeding travel for residents on Onnalinda Drive, no more subdivisions and following constructions are wanted by the majority of residents.
8. Winter time adds additional problems for all vehicles, with pavement which is only 13 feet width on the steep entry hill to a much narrower width and is plowed on an irregular basis as opposed to Town and County road.

No Name Onnalinda Address

Vehicles at Residence

- | | | |
|-----|---|--------|
| 1 | Mike & Kathy Foster 4065 Onnialinda Dr, Canandaigua, NY 14424 | Yes |
| 2 | Mr Steve & Deana Cleason 4075 Onnialinda Dr, Canandaigua, NY 14424 | Yes |
| 3 | M/M Bill Mitchell 4081 Onnialinda Dr, Canandaigua, NY 14424 | Yes |
| 4 | Ann Hutchens 4083 Onnialinda Dr, Canandaigua, NY 14424 | |
| 5 | M/M Duncan Sparrell 4087 Onnialinda Dr, Canandaigua, NY 14424 | |
| 6 | M/M Steve Smelders 4093 Onnialinda Dr, Canandaigua, NY 14424 | Yes |
| 7 | M/M Al Kraus 4095 Onnialinda Dr, Canandaigua, NY 14424 | Yes |
| 8 | M/M Tom Walker 4104 Onnialinda Dr, Canandaigua, NY 14424 | |
| 10 | M/M George Braddon 4109 Onnialinda Dr, Canandaigua, NY 14424 | |
| 11 | Robert Papenruss & Kelly Cottler 4113 Onnialinda Dr, Canandaigua, NY 14424 | |
| 12 | Kimberly Condon & Michael Diantonio 4117 Onnialinda Dr, Canandaigua, NY 14424 | |
| 13 | M/M Lawrence Cook 4125 Onnialinda Dr, Canandaigua, NY 14424 | |
| 14 | M/M Mark Wenderlich 4129 Onnialinda Dr, Canandaigua, NY 14424 | Either |
| 15 | M/M Ki Sohn 4137 Onnialinda Dr, Canandaigua, NY 14424 | |
| 17 | Dave Finnlick & Dawn Mamikailan 4045 County Rd 16, Canandaigua, NY 14424 | |
| 18 | Mr. Greg Westbrook 4096 Onnialinda Drive NEW RESIDENCE 2017, Canandaigua, NY 14424 | |
| 19. | Mr. Cory Westbrook 4118 Onnialinda Drive NEW RESIDENCE 2017, Canandaigua, NY 14424 | |
| 20. | Mr Cory Westbrook 4118 Onnialinda Drive Rental House, Canandaigua, NY 14424 | |
| 21. | Approved subdivided building lot in lower northeast corner of 4096 Westbrook property behind 4075 Onnialinda Drive property | |

21 total current property owners residing or renting residences and approved subdivided lots

Notes:

1. Forty-six vehicles go in and out passing proposed three subsection lots adjoining Crinalinda Drive at least 3-4 times per day which means driveways on these proposed lots would have a minimum of 3.5 times per day times 46 vehicles = 161 passes by these lots per day not including service vehicles, guest vehicles and resident walkers or movers and tractors. Although trailers at 4129 Crinalinda Drive add to this total and are directly opposite lot #3 & #4. U.S. mail delivery truck, FedEx, UPS and many others to bring the total to well over 200 passes per day through this dangerous section of our driveway. These numbers do not include visitors and guests during holiday periods or special events that can add 5-10 cars a various residences.

2. Last time Westcooks tried unsuccessfully to subdivide this same property for building lots in year 2009, there were 15 houses using Ormeaua Drive, this number with the current and proposed subdivided building lots would increase this number to 24 and would be an increase of 60% more residences and vehicles regularly going in and out per day.

ENCLOSURE # 4

Opposition Letters & Related Documents

4095 Onnalinda Drive
Canandaigua, NY 14424

April 6, 2009

Town of Canandaigua Planning and Zoning Boards
Attention: Jean Chrisman, Zoning Officer
5440 Route 5 & 20 West
Canandaigua, NY 14424

Dear Jean,

This letter is in response to the application that has been submitted requesting approval of an eight lot subdivision off of Onnalinda Drive, referred to in the application as the Westbrook-Godette Subdivision.

As owners of property on Onnalinda Drive and, consequently, partial owners of Onnalinda Drive, we request that this application be totally denied. Our primary reasons for taking this position are outlined below.

1. Onnalinda Drive is a "private road" that was specifically designed and built to service the properties that directly border upon the rudimentary gravel road that was originally constructed (subsequently upgraded to bituminous pavement). Initial approval of this residential area was predicated on limiting access to Onnalinda Drive and subsequently to West Lake Road, to those properties directly bordering on the original road. Onnalinda Drive was not intended to support the construction of homes on all of the undeveloped land west of Onnalinda Drive.

In fact, when we purchased our home we were informed that the previous owner of the undeveloped lands west of Onnalinda Drive (George Perrin) had tried to develop these lands and was denied approval because he did not have direct access to West Lake Road. Our decision to purchase our home was partially based on information that the undeveloped lands to the west could not be developed using Onnalinda Drive as an access road to West Lake Road. Both Wayne Lightsey and Greg Westbrook, who lived on Onnalinda Drive and had been on the Town Zoning Board, informed us that this land could not be developed using Onnalinda Drive as access to West Lake Road. It is rather ironic that when someone else owned the land it was considered un-developable, but now that Mr. Westbrook owns it he considers it developable.

2. According to our deeds all of the Onnalinda Drive property owners are joint owners of Onnalinda Drive and responsible for working together to maintain the road. Consequently, no one owner or small group of owners should be able to change the usage of Onnalinda Drive without express approval of the other owners. Furthermore, it would be inappropriate for the Town to attempt to dictate that this private road be extended and/or improved to accommodate this proposed subdivision.

3. Onnalinda Drive is a very narrow, lightly constructed road that does not meet current construction standards for roads to be used for new subdivisions. There are some portions of the road where two vehicles cannot pass each other going in opposite directions; one of the two vehicles must move to the side and let the other vehicle go by. Also, the road does not stand up well under heavy vehicle traffic such as the types of construction vehicles that would be required to build a subdivision.

Just recently the owners of Onnalinda Drive paid a lot of money to repave the road and improve drainage along the west side of the road. If Mr. Westbrook is allowed to create a subdivision using the existing road it would cause damage to the newly renovated road, create additional congestion, and increase safety problems.

Although the Onnalinda Drive property owners have spent many thousands of dollars to improve and maintain this road, the current residents do not want to widen or take any other actions that would lead to a substantial increase in traffic on this private drive. To do so would degrade the quality of life and safety of the current residents. Furthermore, it would be impossible to widen Onnalinda Drive to subdivision standards without modifying existing deeds, causing unacceptable reductions in driveway areas, bringing homes and garages too close to the edge of the road, and reducing green space.

The residents along Onnalinda Drive should not be forced to up-grade this private road; nor should we be forced to stand-by while others up-grade this road. And lastly, no approval should be given for a new subdivision west of Onnalinda Drive if it cannot provide access to West Lake Road that meets current construction standards.

4. In addition to our objections about using Onnalinda Drive as an access road, we are very concerned with the placement of homes in the area proposed. The subject property is a very environmentally sensitive area that borders on being a "wetland". Furthermore, this area is very important for helping to mitigate erosion, sedimentation, and storm water problems for a rather large drainage area west of Onnalinda Drive.
5. Mr. Westbrook owns over twenty acres of additional land west of Onnalinda Drive. If this proposed eight lot subdivision is approved it would open the door to the placement of additional homes west of Onnalinda Drive, on a very environmentally sensitive hill-side above Canandaigua Lake. In addition to having very negative environmental impacts, this expansion would create further problems related to the usage of Onnalinda Drive as a means of gaining access to West Lake Road.
6. The proposed Westbrook-Godette Subdivision also includes about 115 feet of frontage on Canandaigua Lake. Approval of this subdivision would create problems related to establishment of a funnel development which is contrary to the Uniform Docking and Mooring Law. Furthermore, even if restrictions were placed on the use of the lakefront area as part of the approval process, constant monitoring would be required to ensure that usage did not exceed the levels allowable under the Uniform Docking and Mooring Law.

Any decisions made regarding the proposed Westbrook-Godette Subdivision should take the above factors into consideration. As partial owners of this "private road", we strongly object to approval of any subdivision that uses Onnalinda Drive as a means of access to West Lake Road. Please ensure a copy of this letter goes to both the Town of Canandaigua Planning and Zoning Boards.

Thank you for your consideration.

Sincerely,

Al and Jean Kraus

David L. Brooks II
4065 Onnalinda Drive
Canandaigua, New York 14424

April 28, 2009

Town of Canandaigua Planning & Zoning Boards,
Attention: Jean Chrisman, Zoning Officer
5440 Routes 5 & 20 West
Canandaigua, NY 14424

Dear Planning and Zoning Boards:

I am writing, as a concerned resident of Onnalinda Drive, to express my opposition to the proposed Westbrook and Godette subdivision's access to Onnalinda drive. I am strongly opposed to any grant of approval to this proposed use if Onnalinda Drive as the primary method of access to this proposed development.

- Westbrook and Godette are requesting the use of Onnalinda Drive as their primary main access to their eight lot subdivision. This will greatly over burden a narrow single lane private driveway that was originally designed to service the 13 present residences. This one access off County Road 16 on to Onnalinda Drive has no exit. As the resident at end point this access will dramatically increase the number of turnarounds at my driveway. Also, it has a dangerous, steep entry hill only 13 feet of pavement where 20 feet is required with a deep culvert on the west side. Only one car can go up or down at a time.
- Onnalinda Drive was only intended to support the present 13 year-round residences in existence. With the addition of 8 more homes with 2-3 cars per home, plus service vehicles and guests, this private driveway could not handle the increase of traffic by more than 60%. Lack of off street parking, on Onnalinda Drive, adds to the congestion in using this driveway when residents and their guests park on and often block our driveway.
- Numerous accidents have occurred at the steep entry curve off County Road 16 (West Lake Road), especially during winter months. Only a tow truck can remove vehicles from the culverts on each side of this curve. A posted 10 mph sign is generally ignored and residents of 4137 Onnalinda Drive (Ki Sohn residence) are afraid to pull in and out of their garage. Many near misses regularly occur.
- There is no public water or sewer to service this 8 lot subdivision. In winter fire trucks, ambulances and other emergency vehicles may not be able to travel up Onnalinda Drive. Note, the other residences, except for one built over 30 years ago, adjoin County Road 16 and can get these services via this county road. While residents have Onnalinda Drive plowed in the winter, many times it is impossible to get up the hill and residents have to park their cars in front of their property on County Road 16. Parked cars either on the pavement, or on the shoulder, make snow removal difficult or sometimes impossible. A small turnaround at the north end is designed for small vehicles and cannot accommodate large vehicles such as the Fire Department's larger fire fighting equipment.
- Development of these 8 lots would add to the already severe water runoff problems that present owners experience from water coming across the Westbrook property at 4118 Onnalinda Drive, coming down from the higher elevations to the west of Onnalinda Drive.

Removal of natural ground cover, replacing it with pavement and open areas to support the 8 lots being proposed, would create an unmanageable problem on top of the one which already exists. A creek runs through the Godette property to the south of Ki Sohn's 4137 Onnalinda Drive red accessory shed, bordering our steep entry drive. Also, during rain storms, water flow from Westbrook's 4118 Onnalinda Drive property creates pooling of water and small creeks in several spots. This water flows on to the four or five properties to the east of Onnalinda Drive and into many of these homes during storm events, starting with 4137 Ki Sohn going north. Our culvert and drainage ditch, bordering the southern portion of Onnalinda Drive is only marginally effective to handle our current water problems let alone the water management issues with the proposed subdivision.

- In November, 2005 Westbrook sought approval for a 4 lot subdivision on his 4096 Onnalinda Drive (16 plus acres) which abuts the 4118 Onnalinda Drive property to the north, offering a "conservation easement" for over half of this land". This "conservation easement" was advertised as "protection of the property in its natural state and open space condition to ensure the quality and quantity of water resources for Canandaigua Lake, serve as a corridor for wildlife movement and a natural greenway, and a buffer between surrounding developments in the immediate vicinity." Due to significant opposition from the concerned residents of Onnalinda Drive and the Town of Canandaigua, Westbrook withdrew his application for subdivision approval and area variances involved with this proposal in January, 2006. Mr. Westbrook had full knowledge of the problems confronting him when he bought the 4118 Onnalinda Drive property in November, 2008. It appears that greed and profit motivation have replaced any concern about the protection of environmental green space, water runoff dangers, quality of Canandaigua Lake water, and further Canandaigua Lake water shed development.
- Approving this subdivision request, would open the door for a Mancini Brothers, West Lake Marine Club "copy cat" funnel development on a smaller scale, which is to our north. Total acres involved are approximately 30. This includes 2.4 acres with 115 feet of lake frontage for Godette (4056 County Road 16), 10.8 acres for Westbrook (4118 Onnalinda Drive) and West Brook's adjoining property to the north of the current subdivision (4096 Onnalinda Drive) 16.4 acres. Note the 4096 property is not currently part of this subdivision request of 13.2 acres, but would probably be made part of the marine club as a phase II proposal.
- Granting the request for this subdivision would negatively impact and decrease the value of the property owned by the present Onnalinda Drive residents. It would also dramatically change the character of the neighborhood, altering the pristine, rural nature of the land on the west side of Onnalinda Drive.

Sincerely,

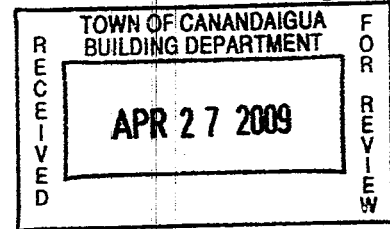
David L. Brooks II

THOMAS A. WALTER
4104 Onnalinda Drive
Canandaigua, NY 14424

electronically forwarded to RB Lin Grant Eng Hobling Chris Nadler (JC)

March 30, 2009

Town of Canandaigua Planning & Zoning Boards
Attention: Jean Chrisman, Zoning Officer
5440 Routes 5 & 20 West
Canandaigua, NY 14424



Re: Westbrook – Godette Subdivision Proposal

Original to file

Dear Ms. Chrisman:

The purpose of this correspondence is to convey my concerns regarding the above referenced subdivision proposal.

I have resided at 4104 Onnalinda Drive since August, 2004.

When my residence was purchased in 2004 there was no sump pump in the basement and there was no evidence of any water damage or water problems in the basement. No evidence of any prior water problems was disclosed by the seller nor was any evidence of water problems uncovered by a home inspection prior to purchase. I have no reason to believe there was any water problem prior to the purchase.

Since the Morell housing development construction, west of 4104 Onnalinda Drive, up the ridge, commenced numerous flooding and water problems occurred in the basement of 4104 Onnalinda Drive. After construction began I observed, during rain storms, water at least as deep as the grass in the back yard, flowing out of the wooded area behind the house flowing down through the yard. The basement flooded on numerous occasions. Twice the flooding was severe enough to damage a boiler, washing machine and dryer. On one of those occasions the water was actually coming out of the basement and into the family room. Since these episodes a deep sump pump was installed which has controlled flooding. However, when winter thaws occur and when summer rains are heavy water runs down the ridge and comes up through our basement floor. We have to conclude that run-off and drainage planning for the Morell development was inadequate during the initial construction and just adequate now. I am concerned that additional building on the west side of Onnalinda Drive, if not planned properly, will lead to run-off and drainage problems to existing structures.

March 30, 2009

Page two

Onnalinda Drive is a private paved driveway. It is not a dedicated roadway built to town highway specifications. The road is quite narrow, makes a ninety degree turn on a steep section of road where the pavement is only 13 feet wide. There is a deep, rock lined drainage ditch on the west side of the road. While there are several 10 mph signs on the road they are virtually ignored by visitors and non-residents. There have been numerous encounters where vehicles have met traveling in opposite directions forcing one vehicle to leave the pavement. The road is too small to properly accommodate additional traffic. This winter my wife's vehicle was forced off the road to avoid a collision with a vehicle coming down the road. The vehicle ended up in the Ki Sohn yard and had to be removed with a tow truck.

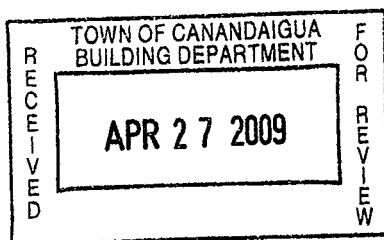
When moving into 4104 Onnalinda Drive the moving van was unable to back up Onnalinda Drive. The driver, after numerous attempts was unable to back around the ninety degree turn. As a result the truck came forward up Onnalinda Drive and was later forced to back down after the delivery. The backing down operation took well over an hour and damaged several trees along the road. The condition of the road is such that large emergency vehicles would have a difficult time safely negotiating the road during an emergency. Since there is no public water on the roadway additional building could constitute a fire hazard.

I am not opposed to properly planned development. However, I am concerned about the issues raised above and the effect the proposed development would have on the current residents of Onnalinda Drive. I have been under the assumption, after attending past zoning meetings, that Onnalinda Drive was considered "unbuildable" until the road was improved to town highway standards and became a dedicated roadway serviced and maintained by the town. Until the roadway is improved to town specifications and becomes a dedicated road I feel that future development on the west side of Onnalinda Drive poses potential safety problems for present residents that outweigh the benefit of additional tax revenue to the town.

Sincerely,



Thomas A. Walter



March 24, 2009

Town of Canandaigua Zoning Board of Appeals and Planning Board
5440 Route 5 & 20 West
Canandaigua, NY 14424

Reference: Westbrook/Godette Subdivision Request For An Eight Lot Subdivision at
4118 Onnalinda Drive and 4056 County Road 16, CPN- XXXXX

Dear Board Members:

My wife and I have owned 4137 Onnalinda Drive since October, 1994 when we purchased it from George Case. Our property is the first house at the entry of Onnalinda Drive on the south. We own land on both sides of Onnalinda Drive. All traffic that enters or exits Onnalinda Drive must pass through our property. Refer to Attachment B in the information package of pictures and drawings on file submitted with the letter from Lawrence and Susan Cook.

Since we have lived there, numerous serious flooding and drainage problems have occurred. Most of these problems stem from water discharged during rain storms from property located on the west side of Onnalinda Drive owned by the applicants for this subdivision. This water flows around the steep curve of Onnalinda Drive on the south onto my property and at times into my house.

On a year round basis drivers of cars and trucks regularly drive off from the narrow pavement by my house into the grass ditch by my hedge, damaging my lawn, hedge and other property. Winter snow and ice create additional hazards for drivers, who frequently cannot make the steep curved turn on Onnalinda Drive by my house and slid into the ditch next to my house blocking Onnalinda Drive.

Regarding the August 11, 2003 oil spill documented in the petition I signed, the enclosed pictures in Attachments W and X, clearly show the detrimental effect that it had on my lakefront property. I was unable to use my lakefront until the following Spring of 2004 due to the water quality problems caused by the oil flowing into the water. All of the water from the Onnalinda Drive west side drainage ditch flows into the storm culvert and out to the lake on my lake frontage. The land referenced in this application has numerous creeks, small streams, springs and small water retention areas that drain into the culvert on the west side of Onnalinda Drive adjoining my property. Development of land referenced in this request for subdivision would make my lake front unusable for swimming during rainfalls and storm events and significantly effect lake quality.

Page 2-Ki Sohn Variance Opposition Letter

I feel that Onnalinda Drive is intended for the sole purpose of the exiting property owners on the east side of Onnalinda Drive. Possible exceptions might be 4104 Onnalinda Drive which was built in 1968 and a small cottage that started out to be a tool shed in the early 1980's. Both of these exceptions predated the current zoning regulations regarding public access to buildable lots.

I do not want the application for subdivision granted and under no circumstances the applicants be able to use Onnalinda Drive to access the 8 lots of this subdivision. Any development of this Westbrook/Godette property would pave the way for additional houses to be built on the west side of Onnalinda Drive on property owned by Beth Westbrook, 4096 (16.4 acres) adjoins the proposed Westbrook/Godette subdivision to the north. Traffic and damage to my property would be increased by additional travel on Onnalinda Drive, adding to the already hazardous and dangerous conditions that exist today.

Sincerely,

Ki Sohn

Il Sun Sohn

Mary F. Prince
Thomas A. Walter
4104 Onnalinda Drive
Canandaigua, NY 14424

*For more information
County Planning
Board members*

July 16, 2005

Zoning Board
Town of Canandaigua
Town Hall
Rts 5 & 20
Canandaigua, NY 14424

Dear Board Members:

We reside at 4104 Onnalinda Drive in the town of Canandaigua. We are concerned over further development of the West Side of Onnalinda Drive for the following two reasons.

1. We purchased our property in August 2004. 2004 was a very wet summer we had no water problems in our basement until the late fall of 2004 when our entire basement flooded for no apparent reason after a significant rainfall. In 2005 our basement has been flooded three times after rainfalls. When it is raining you can stand in our bedroom, which faces west, and actually see the water coming down the hill and flowing through our grass. Water was not visible in 2004. There is construction going on above our property and we suspect that the construction has changed the natural drainage pattern of the hill diverting additional water over our property. If this is the case then it appears that the construction was approved without adequate consideration of the effects on "down stream properties". Therefore, we have a concern that if additional construction on the West Side of Onnalinda Drive is allowed without adequate study of the effects on lower properties there maybe more changes to the natural drainage patterns which could result in flooding, mud slides and significant damage to existing properties. We would not want to see a situation here on the West Side of Canandaigua Lake similar to that on the East Side that has flooded homes on Popular Beach Road adjacent to Finger Lakes Performing Art Center.
2. The town planners saw fit, at an earlier time, to place restrictions on building and development on Onnalinda Drive. We believe the restrictions were placed as a result of Onnalinda Drive being a private road, the construction of which was not up to public road standards, including road surface width, clearance from surrounding vegetation and general visibility restrictions. Onnalinda Drive does not allow two vehicles travelling in opposite

directions to pass without one vehicle leaving the road surface. There is a very sharp turn located on a significant incline that poses the threat of a head-on collision when vehicles meet on the turn. Nothing has occurred to change the conditions for which restrictions were originally placed. The individual seeking approval for additional building and development on Onnalinda Drive was aware of the restrictions at the time the property was acquired. We feel that the conditions leading to the placing of restrictions for development have not changed and therefore the restrictions should be left in place.

Based upon the above we respectfully request that you prohibit further development of the West Side of Onnalinda Drive.

Sincerely,

Mary F. Prince

Mary F. Prince

Thomas A. Walter

Thomas A. Walter

March 20, 2009

Town of Canandaigua Zoning Board of Appeals
And Planning Board
5440 Route 5 & 20 West
Canandaigua, NY 14424

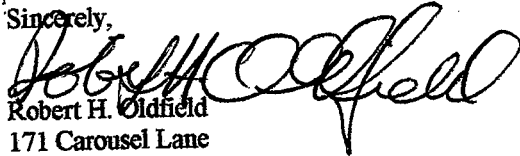
Dear Board Members,

This letter is to inform you that I am aware of the request for the proposed subdivision development on the West side of Onnalinda Drive as well as the property which is currently known as 4056 County Rd. 16 in the town of Canandaigua. As a licensed Associate Broker, REALTOR with Mitchell Pierson Jr., Inc. Realtors and a specialist in offering assistance to both buyers and sellers who are interested in properties on or near our beautiful lake, it is my opinion that:

1. The granting of this request for the proposed subdivision on the West side of Onnalinda Drive as well as the property located at 4056 County Rd. 16 will irrevocably alter the pristine, rural nature of the hillside that the residents have worked long and hard to preserve, thus creating an undesirable change in the character of this neighborhood. In my considered opinion, this would negatively impact the property values of both the existing residents currently on Onnalinda Drive as well as the nearby residents on County Road 16.
2. Lack of off street parking is also a concern on Onnalinda Drive and further development would only make matters worse.
3. West Lake Road property is some of the highest valued property in Ontario County. Adjacent and nearby property owners to the proposed subdivision request should not be subjected to the serious risk of having their property values decrease by permitting this subdivision request to be approved. This serious risk has been very clearly detailed and illustrated in several studies, reports and news articles such as the headline report in a **Sunday Daily Messenger** with the title "WASHOUT leaves worry in its wake" by Paul Long.
4. The granting of this subdivision request could also continue the perilous precedent for future building on the west side of Onnalinda Drive and on other properties on both sides of our lake.

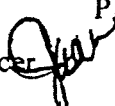
Your responsibilities as Zoning and Planning Board members are extremely important and your decisions regarding this proposed subdivision request on or near our most valued natural asset, Canandaigua Lake, may have a very significant negative impact on our community and our lake now and in the future.

Sincerely,


Robert H. Oldfield
171 Carousel Lane
Canandaigua, NY 14424

FAX TRANSMISSION

TOWN OF CANANDAIGUA
5440 ROUTE 5 & 20
CANANDAIGUA NY 14424
585-396-0430
Fax: 585-394-9476

TO: John Kennedy **DATE:** Tuesday, November 08, 2005
FAX #: (585) 396-9409 **PAGES:** 3
FROM: Jean Chrisman, Zoning Officer 
SUBJECT: Westbrook, Onnalinda Drive, Subdivision

COMMENTS:

For your information, attached is a copy of an email that I received on behalf of Jim Hecker (Town Water Superintendent) and Bob Case (City of Cdga Fire Chief) regarding the Westbrook Onnalinda Drive proposed 4-lot subdivision.

Jean Chrisman

From: Jean Chrisman [jchrisman@townofcanandaigua.org]
Sent: Thursday, December 08, 2005 9:31 AM
To: 'Robert Case'
Cc: Patrick McCabe (E-mail); Joyce Marthaller (E-mail); Joe Maslyn (E-mail); Bob Mincer (E-mail); Terry Fennelly (E-mail); Terry Fennelly (E-mail 2); Ron Brand (E-mail); Stephen M. Savage (E-mail); Derek Brocklebank (E-mail); Julie Hoffman (E-mail); Graham Smith (E-mail); Gary Davis (E-mail); Chip Sahler (E-mail); Rick Szkapi (E-mail); Colleen White (E-mail); Robin Antill (E-mail); Robin Antill (E-mail 2)
Subject: RE: 4096 Onnalinda Drive

Good Morning Bob.

Thank you for providing the Town with your further comments on the revised plan from 4 lots to 3 lots and a emergency turn-around area. I will forward them on to the Planning Board and Zoning Board of Appeals.

Jean Chrisman
Zoning Officer
Town of Canandaigua

-----Original Message-----

From: Robert Case [SMTP:RCase@ci.canandaigua.ny.us]
Sent: Wednesday, December 07, 2005 3:46 PM
To: JChrisman@TownofCanandaigua.org
Subject: 4096 Onnalinda Drive

Jean:

The proposed fire apparatus turn-around does not solve the problem if we were to go to the planned address that has the 12' driveway, we would have to back out the entire distance before we could turn around. This is similar to Todd Tarantello's driveway off Bedford Drive, being a winding narrow driveway. The problem is that the road is not a maintained highway, the distance to the nearest fire hydrant is excessive and Jim Hecker tells me that there is no chance that a water district will be extended to these properties. In addition, I have been told that a recent party on the road caused vehicles to be parked so that we would not even have been able to reach the premises. As it is a private road, there is no recourse for those parking and blocking access. Until these issues are addressed, I would not support the project.

As an aside, a 40' X 30' turn-around is not sufficient. See the Fire Code appendix D page 1 for the diagram of a fire apparatus turn-around, the road widths required for properties based on the distance they are from a public road and the required cul-de-sacs or hammerhead turn arounds required.

Bob Case
Fire Chief
396-5050

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This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.

file
Kennedy for Westbrook

Jean Chrisman

rom: Jean Chrisman [jchrisman@townofcanandaigua.org]
Sent: Tuesday, November 08, 2005 8:39 AM
To: Julie Hoffman (E-mail); Graham Smith (E-mail); Gary Davis (E-mail); Chip Sahler (E-mail); Rick Szkapi (E-mail); Patrick McCabe (E-mail); Joyce Marthaller (E-mail); Joe Maslyn (E-mail); Bob Mincer (E-mail); Terry Fennelly (E-mail)
Cc: Ron Brand (E-mail); Derek Brocklebank (E-mail)
Subject: FW: Onnalinda Drive Project

FYI --

Below is a response from Bob Case, City of Cdga Fire Chief regarding the Onnalinda Drive, Kennedy for Westbrook

Jean Chrisman
Zoning Officer
Town of Canandaigua

-----Original Message-----

From: Robert Case [SMTP:RCASE@ci.canandaigua.ny.us]
Sent: Monday, November 07, 2005 9:37 AM
To: JChrisman@TownofCanandaigua.org
Subject: Onnalinda Drive Project

file

Jean:

Having reviewed the plans for the subdividing of property to the west of Onnalinda Drive, I have the following comments:

1. The road has never become a designated road and the area is not properly plowed or maintained during inclement weather. It narrows on the curve behind the southern most properties that abut the road. The driveway to the proposed areas is only 12' wide. Code calls for a minimum of 20' wide and no grade steeper than 10 percent. If the road is more than 150' long these requirements apply plus there must be a turn-around as specified in the International Fire Code (our NYS Uniform code) in Appendix D. If it exceeds 500 feet it must be 26' wide.
 2. The distance to the nearest fire hydrant is excessive, appearing to be well over 1,000' just to reach the access road. The standard set for hydrant spacing by Highway Superintendent James Hecker is 600'.
 3. It would appear from the code that the existing road should have been hard surface (asphalt, concrete or other approved surface capable of supporting 75,000). The properties have no homeowners association and there is no way to insure that the width will be maintained.
- According to one resident, this road narrows to 9' wide on the portion that curves and that often residents park their vehicles various places on the roadway, limiting its width. Many other private roads off County Road 16 have become narrowed to the point of our not being able to access them with our fire apparatus. I would like to see the Town of Canandaigua take steps to prevent this lack of access on this particular property and any future properties as well as finding a way to provide access to the areas that have become narrowed through the years.

Bob Case
Fire Chief
396-5050

CITY OF CANANDAIGUA FIRE DEPARTMENT

335 South Main Street, Canandaigua, NY. 14424-2118,
(585) 396-5050, fax (585) 394-2706

November 8, 2004

To all property owners protected by the Canandaigua Fire Department

RE: Accessibility of properties

Dear Property Owner:

It is our intent to be able to access the properties in our district without delay to serve you properly.

The Canandaigua Fire Department has experienced difficulties in accessing some properties due to the condition of private roads and driveways in the district.

It is very important that snow, trees, brush and other growth be kept away from roadways due to the size of our fire apparatus. Should we have to access property in an emergency, this may significantly delay our arrival. We have found, for example, that we are impacted by fences installed in close proximity to roadway intersections that, while a private vehicle may be able to turn without difficulty, a fire truck has no way to make the same turn. Should the roadways not be kept clear of snow, our vehicles may slide off the roadway or otherwise be unable to proceed.

It is our intent that if we cause damage to our vehicles when responding due to no fault of our own as we negotiate these obstructions we will be billing the homeowner's insurance company for damages. In the event that we are unable to access the affected buildings, the possible ramifications the insurance company may decide upon could include attempting to collect damages from the property owner that caused the obstruction.

Sincerely,

Robert Case
Fire Chief

4. Specific hours of operation should also be considered as a means to limit noise impacts
- ➔ *Citing a lack of countywide or intermunicipal impact, George McCadden made a motion that was seconded by Glen Wilkes to abstain from making a recommendation on referral 56-09 and to forward board comments to the referring agency for their review.*
- The motion passed by a unanimous vote (13 in favor – 1 opposed)*

Class 2's

46 -2009

Town of Canandaigua Planning Board

Class: 2

Type: *Subdivision*

Applicant: *Greg Westbrook*

Property Owner: *James Godette*

Tax Map Parcel #: *113.17-1-31.000 & 127.05-1-1.100*

Brief Description: *8-lot residential subdivision of 13.34ac. (Westbrook Godette Subdivision)*

Location: *West side of Onnalinda Dr off the west side of County Road 16*

Summary: The zoning is Lakefront Residential. Public water and sewer are available. No variances are needed. There are no wetlands or floodplains mapped for any of the parcels. All of the lots will be accessed from a private driveway off of Onnalinda Dr.

At the full Board meeting, Mary Prince left the room before deliberations on this application began. The Board expressed concern over year round access to the proposed lots. Of specific concern were the width and overall condition of Onnalinda Dr, as well as the long term maintenance of both Onnalinda and the proposed drive. Drainage was also a concern.

Board Comments:

1. This Board is concerned that the proposed plan will not provide adequate year round access, especially for emergency vehicles. At a minimum the Town and applicant should explore options to widen Onnalinda Dr and establish a formal agreement to ensure long term maintenance of the existing and proposed accesses.
2. If there is to be continued development in this area that Town is encouraged to include the remaining lands to the north and west of this site in their plans.
3. It is the position of this Board that much more information, including a drainage and erosion control plan, as well as a comprehensive strategy for access of this and adjacent parcels, will be needed to make an informed decision regarding the suitability of these lots for development.
4. Will variances be needed to allow development of the lots with no frontage on a public road?

+ Findings

1. The applicant is proposing creation of six new building lots.
2. The lots will be accessed from two private roads
3. It is the position of this board that the roads may not provide adequate year round access for emergency vehicles.
4. Houses in this area have experienced issues with drainage and flooding.
5. The lots are on a slope approximately 300' from Canandaigua Lake.

6. The proposal did not include a plan for storm water and erosion control.
7. It is the position of this Board that the proposal has the potential for intermunicipal impacts related to protection of natural features and traffic safety.
8. It is also the position of this Board that the application does not contain information sufficient to support an informed recommendation.

→ *Based on the above findings, Terrence Hopper made a motion that was seconded by John Thompson to classify application 46-09 as a Class 2, but abstain from making a recommendation back to the referring agency.*

Mary Prince abstained from voting

The motion passed by a unanimous vote (13).

Other Business

Stephen Groet made a motion that was seconded by Mary Neale to accept the draft February and March minutes as submitted.

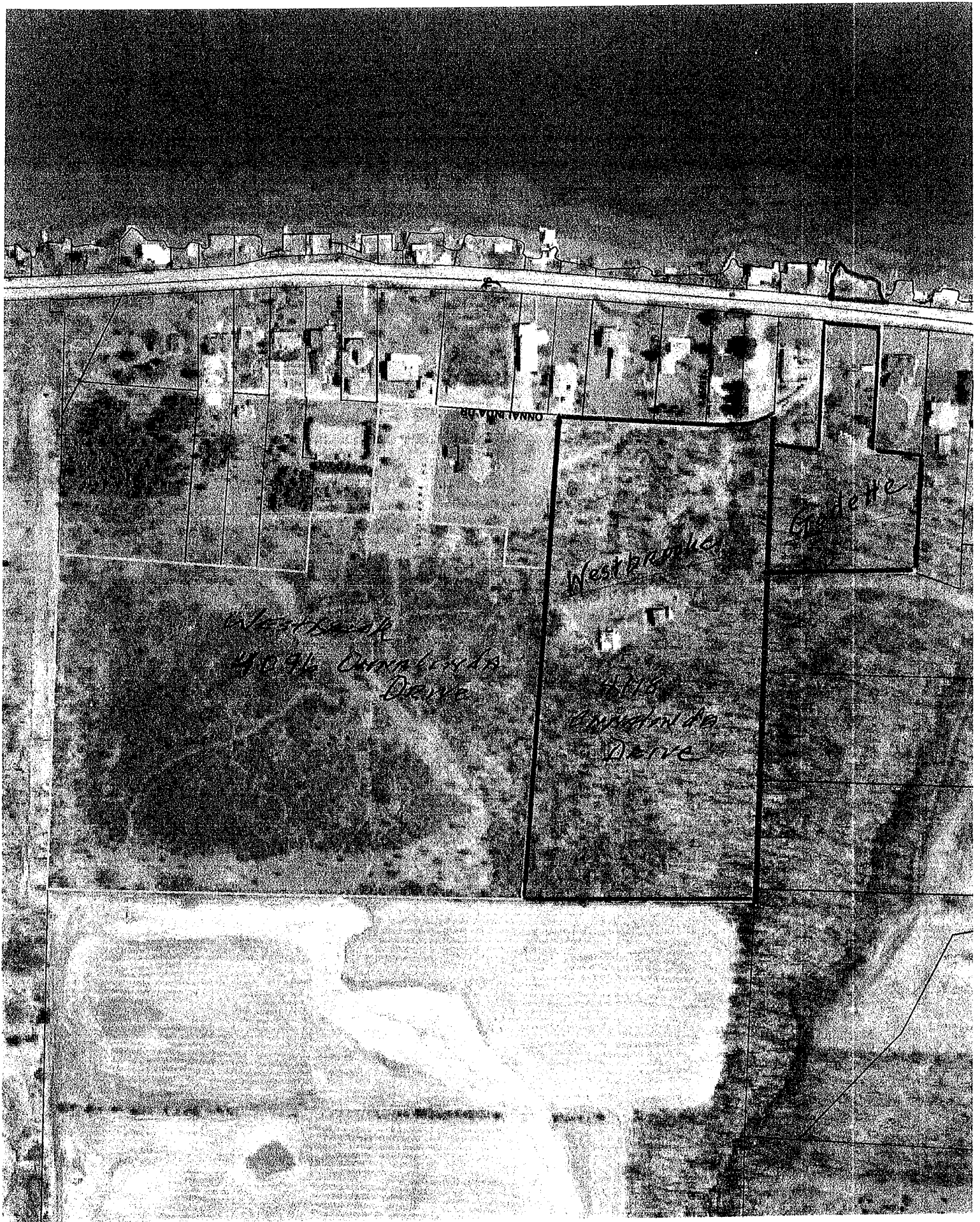
There were three abstentions due to absence.

The motion passed by a unanimous vote (11)

Lindsey Withrow gave a presentation on the Historic resources project and asked for volunteers to serve on a committee that would assist with information gathering and other aspects of the project. Peter Osborne, Jaylene Folkins, Mary Neale, and John Palomaki volunteered.

Staff indicated that the Department website would soon be updated with training modules and asked members for specific topics they'd like to see addressed. Uniform Docks and Moorings Law, green energy and issues related to land use regulation, and form based codes were suggested.

A motion to adjourn was made by George McCadden and seconded by Glen Wilkes. Motion unanimously carried. The CPB (4/8/09) meeting was adjourned at 9:05pm



Ottawa County Planning Board Minutes 4/8/09
CPN#6009-09

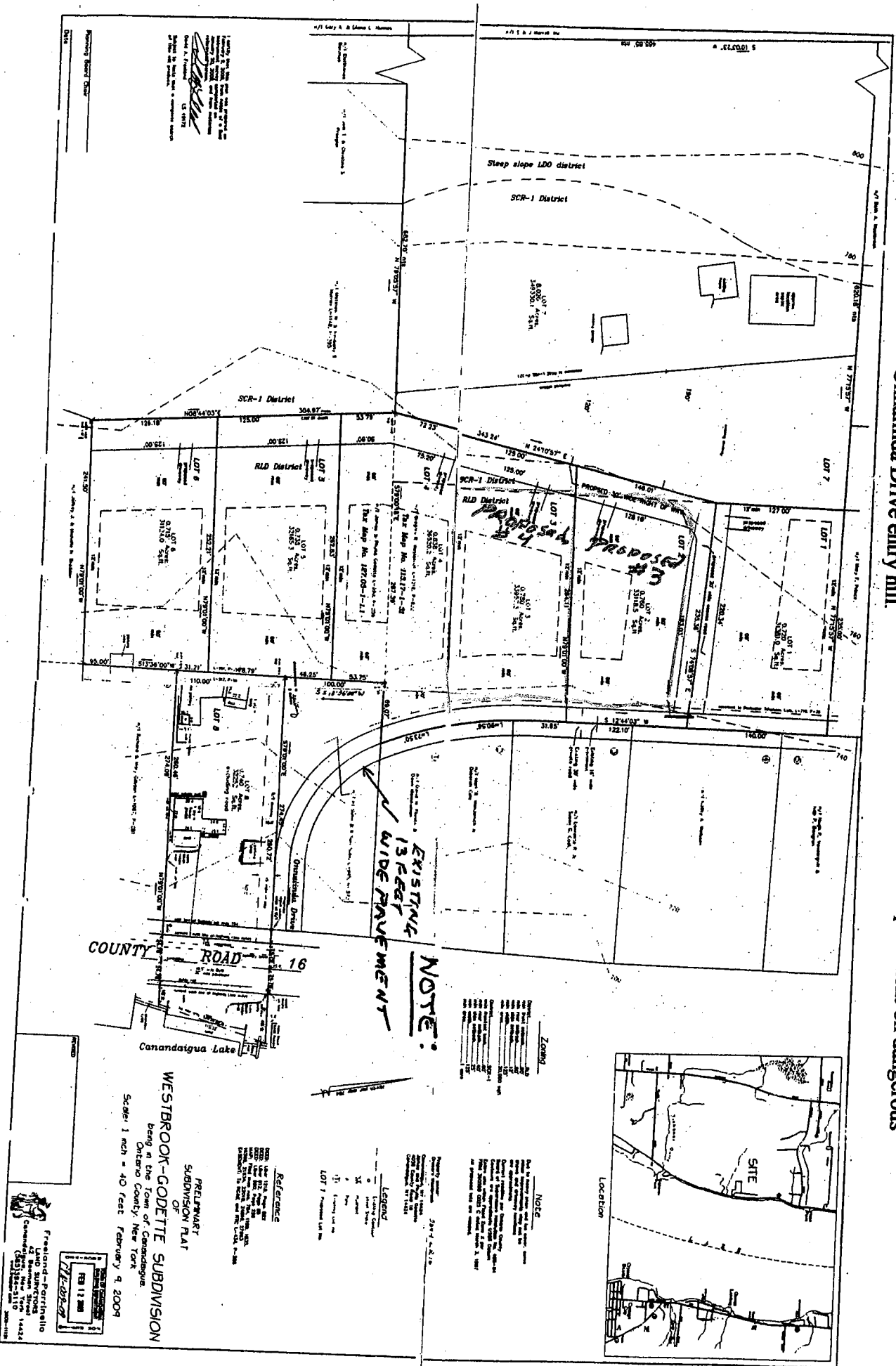
ENCLOSURE # 5

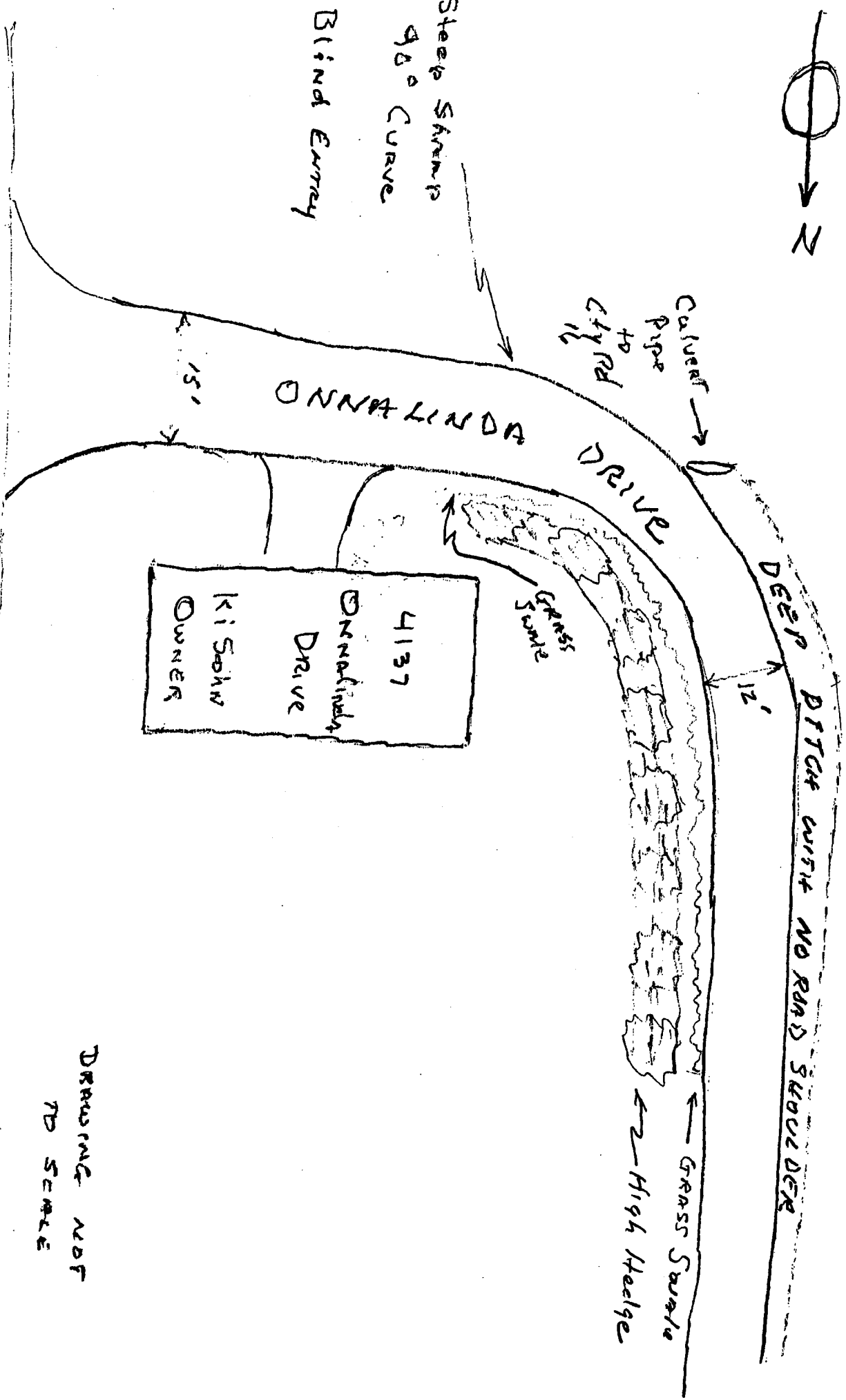
Maps #1, #2, & #3



Onnalinda Drive is a dead end, and is restricted as a private road. It does not comply with the slope, construction or right of way standard of the Town of Canandaigua, and therefore completely ineligible for consideration as a public thoroughfare. As such, there are no posted speeds on the private drive. Speed limiting factors that do exist include speed bumps, a very narrow paved width, and a steep curve leading to County Road 16 down a steep grade. It may therefore be inferred that the appropriate speed on such a driveway is in the neighborhood of ten (10) miles per hour. (Refer to Town of Canandaigua Planning Board Determination dated July 9, 1997)

Refer to note below showing the location of 13 foot width of pavement on dangerous Onnalinda Drive entry hill.





County Road 16

DRAWING NOT
TO SCALE