TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION CHARLES AND ELLEN MILLER – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-081 TM# 96.00-1-46.100 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 for a two (2) lot subdivision, subdividing an existing vacant 108.0113 acre parcel to create Lot #1 consisting of the remaining 100± Acres, and Lot #2 at 7.887 Acres, with no new development proposed, located within the AR-2 Zoning District, and detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors, dated August 10, 2022, last revised November 17, 2022, and all other relevant information submitted as of January 24, 2023 (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 <u>not</u> 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 CHARLES AND ELLEN MILLER – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-081 TM# 96.00-1-46.100 SINGLE-STAGE SUBDIVISION APPROVAL

SEQR RESOLUTION – UNLISTED ACTION

John Robortella, Secretary of the Board

- (vi) there will not be any hazard created to human health;
- (vii) there will <u>not</u> 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 <u>not</u> 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 <u>not</u> be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will <u>not</u> 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 <u>not</u> 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 of the Planning Board held on Tuesday, Januar following roll call vote was taken and recorded:		_at a meeting thereon, the
Mark Tolbert - Scott Neal - Bob Lacourse - Amanda VanLaeken - Charles Oyler -		
I, John Robortella, Secretary of the Board, do he being acted upon and recorded in the minutes of January 24, 20232 meeting.		
L. S.		

Short Environmental Assessment Form Part 1 - Project Information

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.

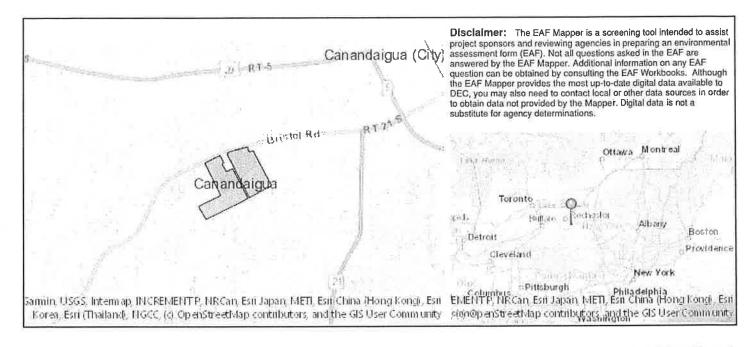
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Single-Lot Subdivision				
Project Location (describe, and attach a location map):				
Hickox Rd TM# 96.00-1-+46.100				
Brief Description of Proposed Action:				
This project consists of a single-lot subdivision.				
Name of Applicant or Sponsor:	Telephone: 585-298-6181	1		
Charles & Ellen Miller	E-Mail: emae50@fron	tier.com	1	
Address:				
3272 Hickox Rd				
City/PO:	State:	Zip Co	ode:	
Canandaigua	NY	14424		
1. Does the proposed action only involve the legislative adoption of a plan, local administrative rule, or regulation?	ii iaw, ordinance,	Į	NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the e	environmental resources th	at		П
may be affected in the municipality and proceed to Part 2. If no, continue to ques				
2. Does the proposed action require a permit, approval or funding from any other of the list agency(s) name and permit or approval:	er government Agency?	. }	NO	YES
If 1 es, list agency(s) hance and permit of approval.			V	
3. a. Total acreage of the site of the proposed action?	108.0113 acres			
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned	o acres			
or controlled by the applicant or project sponsor?	108.0113 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:				
	al 🗹 Residential (subu	rban)		
Forest Agriculture Aquatic Other(Spe		,		
	City J.			
Parkland				

5. Is the proposed action, NO	YES	N/A
a. A permitted use under the zoning regulations?	V	
b. Consistent with the adopted comprehensive plan?	V	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES
o. Is the proposed action consistent with the prodominant character of the character of matter of matter and an action of matter of the character of the charac		V
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:	\	
	NO	YES
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?	<u> </u>	Ħ
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	V	ī
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:		
Meets state energy code.	Ш	V
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
If No, describe method for providing potable water:		
Subdivision of land, no water connection at this time.	1	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment:		
Subdivision of land, no wastewater connection at this time.	V	
	210	VEC
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	NO	YES
Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the	~	Ш
State Register of Historic Places?		
	П	1
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?		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?		1
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		一
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		
		8.3
	14.	

or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: 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: 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: I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/names Deculsigned by: Ellen Miller Title:	14. Identify the typical habit	at types that occur on, or a	are likely to be found on the projec	t site. Check all that apply:		
Store 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? Store	Shoreline Forest	✓ Agricultural/grasslan	ds Z Early mid-successional			
Federal government as threatened or endangered?	□Wetland □ Urban	✓ Suburban				
16. Is the project site located in the 100-year flood plan? NO YES			pecies of animal, or associated habi	tats, listed by the State or	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: 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: 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: 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: 21. CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name—Docusigned by: Ellen Miller Date: 10/13/2022	Federal government as the	nreatened or endangered?			V	
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MY KNOWLEDGE Applicant/sponsor/name: Docusigned by: Ellen Miller Date: 10/13/2022 Signature: Title:						
MY KNOWLEDGE Applicant/sponsor/name: Docusigned by: Ellen Miller Date: 10/13/2022 Signature: Title:	I CERTIFY THAT TH	E INFORMATION PRO	OVIDED ABOVE IS TRUE AND	ACCURATE TO THE BI	EST OF	,
Signature: Ellen Miller Title:						
Signature: Ellen Miller Title:	Applicant/sponsor/pame	> DocuSigned by:	Ellen Miller	Date: 10/13/2022		
I MANAGE THE RESERVED			Title:			

EAF Mapper Summary Report



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Agency Use Only [If applicable]

Project: CPN-22-081 Miller Subdivision

Date: January 24, 2023

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?	✓	
2.	Will the proposed action result in a change in the use or intensity of use of land?	✓	
3.	Will the proposed action impair the character or quality of the existing community?	\checkmark	
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	V	
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?	✓	
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?	✓	
7.	Will the proposed action impact existing: a. public / private water supplies?	\checkmark	
	b. public / private wastewater treatment utilities?	\checkmark	
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	V	
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	
10.	Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✓	
11.	Will the proposed action create a hazard to environmental resources or human health?	V	

Agency Use Only [If applicable]			
Project:	CPN-22-081 Miller		
Date:	January 24, 2023		

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 January 24, 2023 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an				
environmental impact statement is required.				
Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.				
Town of Canandaigua Planning Board	January 24, 2023			
Name of Lead Agency	Date			
Charles Oyler	Planning Board Chairman			
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer				
	Lance Brabant - MRB Group			
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)			

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION CHARLES AND ELLEN MILLER – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-081 TM# 96.00-1-46.100 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 for a two (2) lot subdivision, subdividing an existing 9.5+/- acre parcel with an existing single-family house to create Lot #1 at 7.342 Acres, and Lot #2 at 2.163 Acres, with no new development proposed, located within the AR-2 Zoning District, and detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors, dated August 10, 2022, and all other relevant information submitted as of January 24, 20232 (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 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 January 24, 20232 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 \square Approves without Conditions; X Approves with the following Conditions; or \square 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. 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 1 and Lot 2.
- 3. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.

The above resolution was offered by	_and secor	nded by		at a mee	ting
of the Planning Board held on Tuesday, January 2	4, 20232.	Following	discussion	thereon,	, the
following roll call vote was taken and recorded:					

Mark Tolbert -Scott Neal -Bob Lacourse – Amanda VanLaeken – Charles Oyler -

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION CHARLES AND ELLEN MILLER – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-081 TM# 96.00-1-46.100 SINGLE-STAGE SUBDIVISION APPROVAL

SINGLE-STAGE SUBDIVISION PLAT APPROVAL RESOLUTION

John Robortella, Secretary of the Board, do hereby attest to the accuracy of the above resolution	
eing acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for th	ıe
anuary 24, 20232 meeting.	
L. S.	
ohn Robortella, Secretary of the Board	

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION CHARLES AND ELLEN MILLER – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-081 TM# 96.00-1-46.100 SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

- 1. The Town of Canandaigua Planning Board is considering a Single-Stage Subdivision Plat approval for a two (2) lot subdivision, subdividing an existing vacant 108.0113 acre parcel to create Lot #1 consisting of the remaining 100± Acres, and Lot #2 at 7.887 Acres, with no new development proposed, located within the AR-2 Zoning District.
- 2. Detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors, dated August 10, 2022, last revised November 17, 2022, and all other relevant information submitted as of January 24, 2023.
- 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 January 24, 20232 Board meeting, concluding SEQR.
- 7. Zoning Law Determination was prepared dated December 1, 2022:

DETERMINATION:

The proposed lot configurations meet the minimum zoning schedule requirements. Staff has requested a detail of the metes and bounds of the parent parcel as it is so large. The NRI features, although labeled on the plan, need to be added to the Legend.

REFERRAL TO COUNTY PLANNING BOARD:

Subject parcel is withing 500' of a County Road.

REFERRAL TO PLANNING BOARD FOR:

All plans for divisions of land within the Town of Canandaigua require Planning Board approval.

CODE SECTIONS: Chapter §1-17; §174-10; §174-19; §220-115

- 8. The application was referred to the following;
 - Chris Jensen, Town CEO
 - Town Environmental Conservation Board
 - Town Agricultural Advisory Committee
 - Ontario County Planning Board
- 9. Comments were received from Chris Jensen, Town CEO, on November 21, 2022 and December 29, 2022:

CPN 2022-081

Miller - Hickox Road - Subdivision

- Detail metes and bounds of entire parent parcel.
- Town is not requesting you complete a boundary survey with detailed topography of existing parcel. Reference source of information.
- Northern Site distance reads 'to intersection'. Please add approximate distance.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION CHARLES AND ELLEN MILLER – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-081 TM# 96.00-1-46.100 SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

- Has applicant made waiver request from "All existing property lines, with bearings and distances, including the subject (parent) parcel(s) Tax Map number(s)."?
- 10. The Environmental Conservation Board provided comments at their December 1, 2022 meeting:

Additional Comments from the ECB Meeting:

- Ms. Bonshak said that they have requested a better survey that shows the bounds of the parent parcel. She noted that the recipient has talked about "nestling" the house near the tree line.
- Ms. Davey asked what is the current usage of the land. Farmland.
 Ms. Davey asked if the land was prime farmland and if the Ag
 Committee has reviewed this. [To be reviewed by the Ag
 Committee on December 8.] The owners are farmers.
- Ms. Davey said that she would like the large parcel reserved for farmland. She said that they have done a good job of trying to keep the large part of the farmland intact.

Recommendations:

- The ECB recommends preserving the remaining portion of the parent parcel as farmland.
- The ECB recommends that when a home is built, to avoid the NRI sensitive features. The lot is big enough to allow for this.
- The ECB recommends review by the Ag Committee.
- 11. No comments were received from the Agricultural Advisory Committee.
- 12. No comments were received from the Ontario County Planning Board.
- 13. The Planning Board has considered all documents and comments received as part of their review of the application.
- 14. 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 lots, which could include new residential homes, which could be occupied by families with one or more children.
 - The proposed subdivision will increase the Town's population.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION CHARLES AND ELLEN MILLER – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-081 TM# 96.00-1-46.100 SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

- 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.
- 15. Therefore, 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.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION WILLIAM AND MARCIA MCMAHON – 2 LOT SUBDIVSION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-090 TM# 97.00-1-55.000 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 for a two (2) lot subdivision, subdividing an existing parcel to create Lot #1 at 5.455 Acres, containing an existing single family residence, and Lot #2 at 2.197 Acres, with no new development proposed, located within the AR-2 Zoning District, and detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors, dated September 30, 2022, received by the Development Office on December 20, 2022, and all other relevant information submitted as of January 24, 2023 (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 <u>not</u> 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 WILLIAM AND MARCIA MCMAHON – 2 LOT SUBDIVSION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-090 TM# 97.00-1-55.000 SINGLE-STAGE SUBDIVISION APPROVAL

SEQR RESOLUTION - UNLISTED ACTION

- (vi) there will not be any hazard created to human health;
- (vii) there will <u>not</u> 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 <u>not</u> 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 <u>not</u> be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will <u>not</u> 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 <u>not</u> 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	and seco	nded by		_at a meeting
of the Planning Board held on Tuesday,	January 24, 20232.	Following	discussion	thereon, the
following roll call vote was taken and rec				
Mark Tolbert -				
Scott Neal -				
Bob Lacourse -				
Amanda VanLaeken –				
Charles Oyler -				
I, John Robortella, Secretary of the Board being acted upon and recorded in the min January 24, 20232 meeting.				
	L. S.			
John Robortella Secretary of the Board				

Agency Use Only [If applicable]

Project: CPN-22-090 McMahon Subdivision

Date: January 24, 2023

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?	✓	
2.	Will the proposed action result in a change in the use or intensity of use of land?	✓	
3.	Will the proposed action impair the character or quality of the existing community?	\checkmark	
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	V	
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?	V	
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?	V	
7.	Will the proposed action impact existing: a. public / private water supplies?	✓	
	b. public / private wastewater treatment utilities?	✓	
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	V	
10.	Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✓	
11.	Will the proposed action create a hazard to environmental resources or human health?	V	

Agency Use Only [If applicable] Project: CPN-22-090 McMahon			
Project:	CPN-22-090 McMahon		
Date:	January 24, 2023		

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 January 24, 2023 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.			
Check this box if you have determined, based on the info that the proposed action will not result in any significant	rmation and analysis above, and any supporting documentation, adverse environmental impacts.		
Town of Canandaigua Planning Board January 24, 2023			
Name of Lead Agency	Date		
Charles Oyler	Planning Board Chairman		
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer		
	Lance Brabant - MRB Group		
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)		

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION WILLIAM AND MARCIA MCMAHON – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-090 TM# 97.00-1-55.000 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 for a two (2) lot subdivision, subdividing an existing 9.5+/- acre parcel with an existing single-family house to create Lot #1 at 7.342 Acres, and Lot #2 at 2.163 Acres, with no new development proposed, located within the AR-2 Zoning District, and detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors, dated August 10, 2022, and all other relevant information submitted as of January 24, 20232 (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 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 January 24, 20232 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 \square Approves without Conditions; X Approves with the following Conditions; or \square 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. 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.
- 3. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.

The above resolution was offered by	and seconded by		at a meeti		
of the Planning Board held on Tuesday, January	24, 20232.	Following	discussion	thereon,	the
following roll call vote was taken and recorded:					

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

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION WILLIAM AND MARCIA MCMAHON – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-090 TM# 97.00-1-55.000 SINGLE-STAGE SUBDIVISION APPROVAL

SINGLE-STAGE SUBDIVISION PLAT APPROVAL RESOLUTION

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
January 24, 20232 meeting.
L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION WILLIAM AND MARCIA MCMAHON – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-090 TM# 97.00-1-55.000 SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

- 1. The Town of Canandaigua Planning Board is considering a Single-Stage Subdivision Plat approval for a two (2) lot subdivision, subdividing an existing parcel to create Lot #1 at 5.455 Acres, containing an existing single family residence, and Lot #2 at 2.197 Acres, with no new development proposed, located within the AR-2 Zoning District.
- 2. Detailed on the Single-Stage Subdivision Plat prepared by Freeland-Parrinello Land Surveyors, dated September 30, 2022, received by the Development Office on December 20, 2022, and all other relevant information submitted as of January 24, 2023.
- 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 January 24, 20232 Board meeting, concluding SEQR.

7.	Zoning Law Determination was prepared dated	, 2023
	Zonnig Law Determination was prepared dated	

DETERMINATION:

The proposed lot configurations meet the minimum zoning schedule requirements. Staff has requested a detail of the metes and bounds of the parent parcel as it is so large. The NRI features, although labeled on the plan, need to be added to the Legend.

REFERRAL TO COUNTY PLANNING BOARD:

Subject parcel is withing 500' of a County Road.

REFERRAL TO PLANNING BOARD FOR:

All plans for divisions of land within the Town of Canandaigua require Planning Board approval.

CODE SECTIONS: Chapter §1-17; §174-10; §174-19; §270-115

- 8. The application was referred to the following;
 - Chris Jensen, Town CEO
 - James Fletcher, Town Highway & Water Superintendent
- 9. No comments were received from Chris Jensen, Town CEO.
- 10. No comments were received from James Fletcher, Town Highway & Water Superintendent.
- 11. The Planning Board has considered all documents and comments received as part of their review of the application.
- 12. 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.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION WILLIAM AND MARCIA MCMAHON – 2 LOT SUBDIVISION 0000 HICKOX ROAD – AR-2 ZONING DISTRICT CPN 22-090 TM# 97.00-1-55.000 SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

- 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 1 new lot, which could include a new residential home, which could 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.
- 13. Therefore, 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.

SEQR RESOLUTION – TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single-Stage Site Plan Approval for the construction of a new single-family residence and associated site improvements on an existing parcel within the AR-2 zoning district, as shown on the Single-Stage Site Plan prepared by Marks Engineering, dated October 28, 2022, last revised January 9, 2023, and all other relevant information submitted as of January 24, 2023 (the current application); and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by	and seco	onded by		_at a mee	tıng
of the Planning Board held on Tuesday, Januar	y 24, 2023.	Following	discussion	thereon,	the
following roll call vote was taken and recorded:					
Mark Tolbert -					
Scott Neal -					
Bob Lacourse –					
Amanda VanLaeken –					
Charles Oyler -					
I, John Robortella, Secretary of the Board, do her being acted upon and recorded in the minutes of t January 24, 2023 meeting.					
L. S.					
John Robortella, Secretary of the Board					

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single-Stage Site Plan Approval for the construction of a new single-family residence and associated site improvements on an existing parcel within the AR-2 zoning district, as shown on the Single-Stage Site Plan prepared by Marks Engineering, dated October 28, 2022, last revised January 9, 2023, and all other relevant information submitted as of January 24, 2023 (the current application); and

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

WHEREAS, the Planning Board classified the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; 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 \square Approves without Conditions; X Approves with the following Conditions; or \square Denies the application for the following reasons:

- 1. Site Plan Approval with conditions specified herein is valid for a period of 180 days from today. Once all conditions of Site Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the Site Plans.
- 2. A Site Development Building Permit application is to be completed and provided to the Town of Canandaigua Development Office prior to the Planning Board Chairman's signature being affixed to the site plans.
- 3. A soil stabilization and erosion control surety estimate is to be prepared by the applicant and provided to the Town Development Office for review and processing in accordance with Local Law 19 of 2017 Amending Chapter 174, Section 174-32(F).
- 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.
- 5. Prior to the issuance of a building permit, the on-site wastewater treatment system design is to be reviewed and approved by the Town Code Enforcement Officer.
- 6. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
- 7. The Canandaigua-Farmington Water and Sewer District's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

The above resolution was offered by	and	seconded	l by	at a
meeting of the Planning Board held on Tuesday,	January	24, 2023	6. Following	discussion
thereon, the following roll call vote was taken and rec				
Mark Tolbert -				
Scott Neal -				
Bob Lacourse –				
Amanda VanLaeken –				
Charles Oyler -				
I, John Robortella, Secretary of the Board, do he				
resolution being acted upon and recorded in the min	nutes of	the Town	of Canandaig	ua Planning
Board for the January 24, 2023 meeting.				
L. S.				
John Robortella, Secretary of the Board				

FINDINGS

- 1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for the construction of a new single-family residence and associated site improvements on an existing parcel within the AR-2 zoning district.
- 2. The project is detailed on the Single-Stage Site Plan prepared by Marks Engineering, dated October 28, 2022, last revised January 9, 2023, and all other relevant information submitted as of January 24, 2023.
- 3. The Planning Board has classified the project as a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations. Type II Actions are not subject to further review under Part 617 of the SEQR Regulations.
- 4. In making this classification the Planning Board has satisfied the procedural requirements under SEQR and directed the Resolution to be placed in the file on this project.
- 5. A Zoning Law Determination was prepared dated December 1, 2022:

DETERMINATION:

Single family residential structures are permitted in the AR-2 zoning district. The Zoning schedule for the AR-2 district has been met.

The site plan lacks any landscape detail.

REFERRAL TO PLANNING BOARD FOR:

All single-family residential site plans require Planning Board review and approval.

CODE SECTIONS: Chapter §1-17; §220-15 §220-70

6-

- 6. This application was referred to the following agencies for review and comment:
 - Chris Jensen, Town CEO
 - David Conti, Canandaigua-Farmington Water and Sewer District
 - James Fletcher, Town Highway and Water Superintendent
 - Town Environmental Conservation Board
 - Town Agricultural Advisory Committee
 - MRB Group
 - Canandaigua City Fire Department
- 7. Chris Jensen, Town CEO, provided comments on November 21, 2022:

CPN 2022-085

Valerio - Brickyard Road

- Reference source of delineation on existing conditions plan and site plan. When it was completed who completed it. Provide copy of delineation report. DEC and Federal Wetlands.
- 8. David Conti, Canandaigua-Farmington Water and Sewer District, provided comments in an email dated November 29, 2022:

Water service line to be 1" minimum Municipex.

9. No comments were received from James Fletcher, Town Highway and Water Superintendent.

FINDINGS

10. The Town ECB provided comments at their December 1, 2022 meeting:

Additional Comments from the ECB Meeting:

- Ms. Davey commented that it is likely really wet in this location.
- Mr. Kochersberger shared photos he took. He noted wetness in the southern area, a swale, and no culvert at location. No flowing water but encroachment on the Padelford designated wetland area. Scrubby trees on parcel.
- Ms. Davey noted it as a high ground water area. Mr. Kochersberger noted dryness in the soil.
- Mr. Kochersberger noted that there is evidence of excavation on site. Oncor reviewed for changes to the parcel over the years. It appears as though the northern area may have been trees before being cleared.
- Ms. Davey said that the area was likely stream bottom as one time.
- Mr. Kochersberger said that there is no landscaping plan and it would be good to get one.
- Ms. Bonshak said that the acreage size is a pre-existing so the size of acreage is not an issue.

Recommendations:

- The ECB recommends that the homeowner consider the installation of geothermal heating/cooling for the home.
- The ECB recommends that the open soil be seeded down for the winter with winter rye and/or coverage of straw to help control erosion.
- The ECB recommends that applicant submits a landscaping plan. If that is not possible, the homeowner should make every effort to plant native landscaping material and avoid any invasive/nonnative species.
- 11. The Town Agricultural Advisory Committee reviewed the application at their December 8, 2022 meeting.
- 12. MRB forwarded an email dated January 19, 2023 that all comments have been addressed.
- 13. No comments were received from the Canandaigua City Fire Department.
- 14. The Planning Board has considered all comments as part of their review of the application.
- 15. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate to be provided prior to the issuance of building permits.
- 16. The Planning Board makes the following findings pursuant to New York State Town Law § 277 and Town Code § 111-9.

FINDINGS

- 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 site because of the increase in population that will be created by the proposed new development.
- 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 site plan includes 1 new home, of which will be occupied by a family with one or more children.
- The proposed site plan 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 site plan.
- There is not an existing park in the vicinity of the proposed site
- 25. Therefore, a fee in lieu of parkland shall be paid at the time of issuance of building permits as established by the Town Board pursuant to Town Code § 111-8.

CPN 22-099 TM# 56.00-55-22.000 AMENDED SINGLE-STAGE SITE PLAN APPROVAL

AMENDED SINGLE-STAGE SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) has received an application for Amended Single-Stage Site Plan approval for a revised Landscaping Plan dated December 1, 2022 depicting new tree plantings and building unit plantings for the Centerpointe Apartments, Phase 3 and all other relevant information submitted as of January 24, 2023 (the current application); and

WHEREAS, on April 12, 2022, the Planning Board granted Single Stage Site Plan Approval for the construction of 13 apartment buildings, including ten (10) ten-unit buildings and three (3) five-unit buildings for a total of 115 units, a community building with pool, and a maintenance building (Phase 3 of Centerpointe Apartments corner of Yerkes Road and Brickyard Road) on Lot R1F totaling 11.334 acres; and

WHEREAS, in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), a determination of significance was previously adopted by the Town of Canandaigua Town Board in October 1986 and supplemented by the adoptions of local laws amending the PUD (Planned Unit Development) and with each subsequent final phase subdivision review; and

WHEREAS, pursuant to Town Code §220-28(E)(7)(c)(4), the Planning Board has notified the Town Board that the PUD known as Centerpointe Apartments submitted a proposal for modification from the originally approved PUD; and

WHEREAS, as required by Town Code §220-28(E)(7)(c)(4), the Planning Board has stated the particulars of the matter including modifications in a memo dated September 30, 2016 to the Town Board for consideration with the position that the proposal is in substantial conformity with the intent of the PUD approved by the Town Board in 1986; and

WHEREAS, the Town Board granted consent pursuant to Town Code §220-28(E)(7)(c)(4), for the Planning Board to continue with the approval process with a resolution adopted October17, 2016; 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 \square Approves without Conditions; X Approves with the following Conditions; or \square Denies the application for the following reasons:

- 1. The Amended Single-Stage Site Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
- 2. All previous conditions imposed by the Planning Board shall remain in effect.
- 3. A note is to be added to the plans stating the Auburn Trail that runs along the frontage of this property is to be constructed per the Towns approved detail as part of this phase of the project or as part of the construction of the balance of the Auburn Trail, whichever occurs first.

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4. The Landscaping plans is to be revised to replace the two potentially invasive species

AMENDED SINGLE-STAGE SITE PLAN APPROVAL RESOLUTION

identified as <i>Zelkova serrata</i> and <i>Syringa reticulata</i> , and also replace <i>Cornus kousa</i> with native alternatives. The applicant is encouraged to refer to the ECB January 5, 2022 meeting minutes for replacement suggestions.
The above resolution was offered by and seconded by at a meeting of the Planning Board held on Tuesday, January 24, 20232. Following discussion thereon, the following roll call vote was taken and recorded:
Mark Tolbert - Scott Neal - Bob Lacourse — Amanda VanLaeken — Charles Oyler -
I, John Robortella, Secretary of the Board, do hereby attest to the accuracy of the above resolutio being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for th January 24, 20232 meeting.
L. S. John Robortella, Secretary of the Board
John Robottella, Secretary of the Board

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FINDINGS

PREVIOUS APPLICATIONS

- 1. The Planning Board received an application for the Final Site Plan approval for the construction of 13 apartment buildings, including ten (10) ten-unit buildings and three (3) five-unit buildings for a total of 115 units, a community building with pool, and a maintenance building (Phase 3 of Centerpointe Apartments corner of Yerkes Road and Brickyard Road) on Lot R1F totaling 11.334 acres.
- 2. Described in the Final Site Plans dated January 3, 2022, last revised March 18, 2022 and other information as submitted by April 12, 2022.
- 3. In 1986 the Town Board zoned the overall project site (425 acres) to Planned Unit Development (PUD) and established allowed uses and bulk density requirements.
- 4. The Town Board completed an Environmental Review of the project pursuant to the State Environmental Quality Review (SEQR) as part of the PUD in 1986 and supplemented by the adoptions of local laws amending the PUD.
- 5. In 2005, Local Law 10 of 2005 was adopted amending the Official PUD Map to allow single family detached dwellings on a total of 37 lots. This also reduced the total number residential units from 571 to 461.
- 6. Project description per the Zoning Determination dated March 31, 2022:

DETERMINATION REFERENCE:

- Application for "Two Stage Final Site Plan Approval" dated 01/03/2022. Received for review by Town on 01/03/2022.
- Plans titled, "Site Engineering Drawings for Centerpointe Apartments Phase 3" by McMahon LaRue Associates, P.C., dated May 2016, revised 11/20/2013, 01/03/2017, 3/31/2017, 4/12/2017, 4/27/2017, 5/23/2017, 5/23/2017, 5/25/2017, 10/05/2017, 9/06/2018, 10/18/2018, and 1/21/2022, 3/18/2022, received by the Town 03/24/2022.
- CPN 2013-013; 08/27/2013- Final Site Plan approval of 122 apartments (13 buildings) with associated infrastructure improvements.
- CPN 2016-036; 11/29/2016- Final Site Plan approval of 115 apartments (14 buildings) with associated infrastructure improvements.
- CPN 2018-006, 10/23/2018- Final Site Plan approval of 106 apartments (13 buildings), two community centers, maintenance building and associated infrastructure
- Original Centerpointe PUD Resolution, 10/28/1986, Local Law No. 10 of 2005, Local Law 4 of 2013.

PROJECT DESCRIPTION:

- Applicant is requesting approval for Centerpointe Apartments, Phase 3. This includes construction of ten (10) ten-unit buildings and three (3) five-unit buildings for a total of 115 apartment units, a community center with pool, maintenance building with infrastructure improvements. The current proposal is in conformance with the 2016 approval of 115 apartments with the addition of the community center.
- 272 parking spaces; 128 garage spaces and 144 exterior.
- 5 parking spaces (including one handicap) provided for community center.

DETERMINATION:

- The Town Board resolution creating the PUD in 1986 outlines the bulk requirements: the apartment buildings are required to be 60 feet from any boundary line, can be a maximum of 45 feet in height with a minimum of two parking spaces per residential unit.
- Phase 1 included 136 apartment units
- Phase 2 included 104 apartment units
- Local Law 10 of 2005 amended the original PUD to allow a total of 368 apartments or 80% of the total number of residential dwelling units.
- The Zoning Law Determination, dated 5/26/2016, included as part of the 11/26/2016
 Planning Board approvals, modifications to the original PUD constituting 59 units more

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than permitted under the approved PUD and that the apartments would constitute 68.3 percent of the total residential units (65% was original requirement).

- With the proposed 115 units in Phase 3, the total number of apartments is 355, which is within the maximum allowable 368 apartment units.

- Proposed site plan details 272 parking spaces. Town Code requires 230. 4 parking spaces are required for the community center. Town Code requires 4.

REFERRAL TO PLANNING BOARD FOR:

- Site plan review is required for development within the PUD zoning district.
- 7. The applicant proposed driveways with garages for each unit, drainage improvements onsite, and utility improvements including appurtenances as described in the most recent site plans.
- 8. Phase 3 includes an existing entrance off-of Yerkes Road and a proposed entrance off-of Brickyard Road.
- 9. Phase 3 is serviced by existing public water and sanitary sewers. Minor improvements will be made as part of this application.
- 10. Landscaping Calculations:
 - Lot Size: 12.094 acres (526,803 sq ft)
 - 30% (required green space) = 3.62 acres (158,040.9 sq ft)
 - 1,250 sq ft = 126 canopy shade trees are required
 - 250 sq ft = 632 deciduous shrub / evergreens are required
- 11. Parking spaces required: (2) spaces / dwelling = $115 \times 2 = 230$ parking spaces required of which (10) spaces are to be marked for handicap parking.
- 12. The application includes 272 parking spaces, with 128 associated with garage spaces and 144 exterior spaces.
- 13. This application is in compliance with Town and NYSDEC General Permit requirements regarding water quality and quantity mitigation.
- 14. An Agricultural Data Statement is required and was provided for this application.
- 15. Pursuant to Town Code §220-28(E)(7)(c)(4), the Planning Board notified the Town Board that the PUD known as Centerpointe Apartments submitted a proposal for modification from the originally approved PUD.
- 16. As required by Town Code §220-28(E)(7)(c)(4), the Planning Board stated the particulars of the matter including modifications in a memo dated September 30, 2016 to the Town Board for consideration with the position that the proposal is in substantial conformity with the intent of the PUD approved by the Town Board in 1986.
- 17. The Town Board granted consent pursuant to Town Code §220-28(E)(7)(c)(4), for the Planning Board to continue with the approval process with a resolution adopted October17, 2016.

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- 18. This application was referred to the following agencies for review and comment:
 - John Berry, Ontario County DPW
 - Robin MacDonald, Canandaigua-Farmington Water/ Sewer District Superintendent
 - Jim Fletcher, Town of Canandaigua Highway Superintendent
 - Chief of the Canandaigua City Fire Department
 - Carleen Pierce, Canandaigua City School District
 - Nancy Kellogg, Ontario County 9-1-1 Center
- 19. A referral to the Ontario County Planning Board (OCPB) was completed as part of the 2016 updates and responses were received. They designated the application as a Site Plan Class 1 with "No County Intermunicipal Impacts".
- 20. No comments from the Planning Board were received as part of the 2018 referral.
- 21. Comments were received from the Town Engineer dated October 17, 2018.
- 22. Comments were received from the City of Canandaigua Fire Chief dated October 16, 2018 and February 7, 2022 which stated that he had no comments.
- 23. Comments were received from the Canandaigua Lake County Sewer District in an email dated February 10, 2022.
- 24. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
- 25. The plans delineate the future Auburn Trail location along Brickyard Road. A 40' wide easement over the Auburn Trail as shown on the site plans is to be provided to the Town of Canandaigua for pedestrian access and future construction.
- 26. The Planning Board discussed the need for a surety to be provided.
- 27. The Planning Board discussed the need for cross access easements and requested they be provided to the Planning Board Attorney for review and approval.
- 28. Pursuant to Chapter 111 of Town Code and NYS Town Law the Planning Board may choose to require set aside of parkland or payment of a fee in lieu thereof when reviewing plans for residential development.
- 29. The Planning Board has determined that payment of a fee in lieu of a set aside of parkland will be required per dwelling unit for the following reasons:
 - a. The project will add 115 dwelling units, which will significantly add to the Town's population.
 - b. The additional population will significantly increase demand on the Town's park and recreation facilities.

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- c. There is no adequate or appropriate portion of the project site that can be set aside for dedication to the Town for purposes of park and recreation facilities.
- d. Therefore, pursuant to Town Code Chapter 111, and NYS Town Law, the Planning Board hereby determines that a proper case exists for the payment of a fee in lieu of a set-aside of parkland as set by the Town Board.

NEW 2023 AMENDED SITE PLAN APPLICATION

- 30. The Planning Board received an application for Amended Single-Stage Site Plan approval for a revised Landscaping Plan dated December 1, 2022 depicting new tree plantings and building unit plantings for the Centerpointe Apartments, Phase 3
- 31. The application still includes the construction of 13 apartment buildings, including ten (10) ten-unit buildings and three (3) five-unit buildings for a total of 115 units, a community building with pool, and a maintenance building (Phase 3 of Centerpointe Apartments corner of Yerkes Road and Brickyard Road) on Lot R1F totaling 11.334 acres.
- 32. This material was described in landscaping plans dated December 1, 2022 and as discussed at the January 24, 2023 Planning Board meeting.
- 33. This application was referred to the following agencies for review and comment:
 - Chris Jensen, Town CEO
 - Dave Conti, Canandaigua-Farmington Water/ Sewer District Superintendent
 - Jim Fletcher, Town of Canandaigua Highway Superintendent
 - The Town ECB
- 34. No comments were received from the Town CEO, the Canandaigua-Farmington Water/Sewer District Superintendent, or from the Town of Canandaigua Highway Superintendent.
- 35. Comments were received from the ECB dated January 5, 2023:

Additional Comments from the ECB Meeting:

- Ms. Rudolph noted nonnative trees in the landscape plan.
- These are high-end apartments.
- Ms. Burkard made a suggestion to replace three species in the plan.

Recommendations:

- The ECB commends the designer for inclusion of many native species.
- The ECB recommends two potentially invasive species, Zelkova serrata and *Syringa reticulata*, be substituted with native alternatives. The ECB also suggests the substitution of *Cornus kousa* with a native alternative. See ECB 1/5/2023 minutes for replacement suggestions and additional details on these items