

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
MEAGHER ENGINEERING REPRESENTING LISA E. ROBERTS & LARRY J. JOSLYN  
3611 COUNTY ROAD 16 – RLD ZONING DISTRICT  
CPN 22-038 – TM# 98.17-1-32.000  
SINGLE-STAGE SITE PLAN APPROVAL

**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 demolition of an existing single-family residence, construction of a new single-family residence, and associated site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Meagher Engineering, dated April 28, 2022, last revised October 14, 2022 and all other relevant information submitted as of November 9, 2022 (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 seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, November 9, 2022. 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 resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the November 9, 2022 meeting.

\_\_\_\_\_  
John Robortella, Secretary of the Board

L. S.

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3611 COUNTY ROAD 16 – RLD ZONING DISTRICT  
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SINGLE-STAGE SITE PLAN APPROVAL

**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 demolition of an existing single-family residence, construction of a new single-family residence, and associated site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Meagher Engineering, dated April 28, 2022, last revised October 14, 2022 and all other relevant information submitted as of November 9, 2022 (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 Zoning Board of Appeals granted the requested variances for rear setback at their September 20, 2022 meeting; and

**WHEREAS**, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office; and

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. Site Plan Approval with conditions specified herein is valid for a period of 180 days from today. Once all conditions of Site Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the Site Plans.
2. A 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. Prior to the issuance of a C/O an approval from the Canandaigua Lake County Sewer District regarding their review of the sanitary sewer design and lateral connection is to be provided to the Town of Canandaigua.
5. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
6. All variances as approved by the ZBA are to be detailed on the site plans.

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**SINGLE STAGE SITE PLAN APPROVAL RESOLUTION**

7. A permit from Ontario County DPW regarding the driveway entrance and associated right of way improvements within the County Road 16 right of way is to be provided prior to issuance of permits.
8. A note is to be added to the plans stating that the property owner is aware and acknowledges that the property is located within a flood hazard area and is subject to frequent flooding.
9. The following notes regarding phosphorous use should be added to the plans:
  - No Phosphorous shall be used at planting time unless soil testing has been completed and tested by a Horticultural Testing Lab and the soil tests specifically indicate a phosphorous deficiency that is harmful, or will prevent new lawns and plantings from establishing properly.
  - If soil tests indicate a phosphorous deficiency that will impact plant and lawn establishment, phosphorous shall be applied at the minimum recommended level prescribed in the soil test following all NYS DEC regulations.

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Mark Tolbert -  
Scott Neal -  
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I, John Robortella, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the November 9, 2022 meeting.

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John Robortella, Secretary of the Board

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TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
MEAGHER ENGINEERING REPRESENTING LISA E. ROBERTS & LARRY J. JOSLYN  
3611 COUNTY ROAD 16 – RLD ZONING DISTRICT  
CPN 22-038 – TM# 98.17-1-32.000  
SINGLE-STAGE SITE PLAN APPROVAL

**FINDINGS**

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for the demolition of an existing single-family residence, construction of a new single-family residence, and associated site improvements on an existing parcel within the RLD zoning district.
2. The project is detailed on the Single-Stage Site Plan prepared by Meagher Engineering, dated April 28, 2022, last revised October 14, 2022 and all other relevant information submitted as of November 9, 2022.
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. The Zoning Board of Appeals granted the requested area variance at their September 20, 2022 meeting.
6. A Zoning Law Determination was prepared dated August 26, 2022:

**DETERMINATION:**

- Single-Family dwellings are a principally permitted use within the Residential Lake District.
- Proposed structure setbacks which do not increase the degree of nonconformance shall be allowed.
- Applicant proposes a 22.7ft. rear setback when 30.0ft. is required.

**REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:**

- This application is not required to be reviewed by the Ontario County Planning Board.

**REFERRAL TO ZONING BOARD OF APPEALS FOR:**

- Applicant requires a 7.3ft. rear (mean high water) setback area variance.

**REFERRAL TO PLANNING BOARD FOR:**

- Site plan review is required for development within the Residential Lake District which exceeds 1,000sq.ft. and such thresholds as would require a Soil Erosion and Sedimentation Control Permit.

**CODE SECTIONS:** Chapter §1-17; §165; §220

7. This application was referred to the following agencies for review and comment:
  - Chris Jensen, Town CEO
  - Town Environmental Conservation Board
  - James Fletcher, Town Highway & Water Superintendent
  - Ontario County Planning Board
  - MRB Group
  - Kevin Olvany, Watershed Manager, Canandaigua Lake Watershed Council
  - William Wright, Ontario County Department of Public Works
  - Timothy McElligott, P.E., Canandaigua Lake County Sewer District
  - Frank Magnera, Canandaigua City Fire Department

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**FINDINGS**

8. No comments were received from Chris Jensen, Town CEO.
9. The Town ECB reviewed the application and provided comments at their September 1, 2022 meeting.
10. No comments were received from the Town Highway and Water Superintendent.
11. The Ontario County Planning Board provided comments at their September 14, 2022 meeting:

**Comments:**

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
3. No landscaping plan is provided at this time though a letter describes compliance with shoreline development requirements.

**CLCSD Comments**

1. Plans have been received and are under review. Comments will be provided directly to the engineer.
2. A renovation permit will be required prior to the beginning of work and upon plan approval.

12. Comments were received from MRB Group in a letter.
13. No comments were received Kevin Olvany, Watershed Manager.
14. No comments were received from OCDPW.
15. Comments were received from CLCSD as part of OCPB comments and in an email dated September 13, 2022:

**Application # CPN-22-038. Site plans currently under review. Comments will be provided to the engineer of record. Renovation permit required.**

16. No comments were received from the Canandaigua City Fire Department.
17. The Planning Board has considered all comments as part of their review of the application.
18. 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.
19. The Planning Board thoroughly discussed the Shoreline Development Guidelines with the applicant.



TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
MARKS ENGINEERING REPRESENTING WILLIAM METROSE  
5100 & 5150 BRISTOL ROAD – R-1-20/AR-2 ZONING DISTRICT  
CPN 22-026 TM# 83.00-1-7.150 & 83.00-1-8.000  
FINAL CONSERVATION SUBDIVISION PLAN APPROVAL

**1<sup>ST</sup> 90-DAY EXTENSION RESOLUTION**

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has received a request for a 1<sup>st</sup> 90-day extension of the Final Conservation Subdivision Plan Approval for 10 lot subdivision, subdividing an existing 7.43 Acre parent parcel to create 10 residential parcels for single-family dwellings and 1 parcel for open space, and detailed on the Final Conservation Subdivision Plans prepared by Marks Engineering dated March 31, 2022 and all other relevant information submitted as of November 9, 2022 (the current application); and

**WHEREAS**, the applicant is still working to address the conditions of approval granted at the May 10, 2021 Planning Board meeting and requested a 90 day extension; and

**WHEREAS**, the Planning Board has reviewed the public record on said Action; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board ☒ **Approves with Previous Conditions (May 10, 2021)** ☐ **Approves with the following Conditions;** or ☐ **Denies the application** for the following reasons:

The Single-Stage Site Plan Approval is hereby approved for a 1<sup>st</sup> 90-day extension, as provided for in Section 276.7 (c) of New York State Town Law, which shall expire 90 days from the date of November 6, 2022. The new expiration date is **February 4, 2023**.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, November 9, 2022. 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 resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the November 9, 2022 meeting.

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John Robortella, Secretary of the Board





TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
MARKS ENGINEERING REPRESENTING ANGELO LICCIARDELLO  
SUNSET RIDGE ESTATES/ LAKEWOOD CUSTOM HOMES  
RESIDENTIAL DEVELOPMENT  
3535 STATE ROUTE 364 – R-1-20 ZONING DISTRICT  
CPN 22-012 – TM# 98.19-1-20.100  
PRELIMINARY OVERALL (PHASED) SUBDIVISION PLAN APPROVAL

**1<sup>ST</sup> 90-DAY EXTENSION RESOLUTION**

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has received a request for a 1<sup>st</sup> 90-day extension of the Preliminary (Phased) Overall Subdivision approval divide a 33.18 acre parcel into 31 single family lots ranging in size from +/- 0.46 acres to +/- 2.74 acres and for the construction of 31 single-family residential dwellings and associated roadways, utilities, infrastructure, and other improvements, in the Residential (R-1-20) zoning district located at 3535 State Route 364, and detailed on site plans dated February 1, 2022, last revised May 2, 2022; and sheets C100, C101, C102, PLAT, and EASEMENT, all last revised May 17, 2022; all prepared by Marks Engineering, and all other relevant information submitted as of November 9, 2022 (the current application); and

**WHEREAS**, the applicant is still working to address the conditions of approval granted at the June 14, 2022 Planning Board meeting and requested a 90 day extension; and

**WHEREAS**, the Planning Board has reviewed the public record on said Action; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board ☒ **Approves with Previous Conditions (June 14, 2022)** ☐ **Approves with the following Conditions;** or ☐ **Denies the application** for the following reasons:

The Single-Stage Site Plan Approval is hereby approved for a 1<sup>st</sup> 90-day extension, as provided for in Section 276.7 (c) of New York State Town Law, which shall expire 90 days from the date of December 16, 2022. The new expiration date is **March 16, 2023**.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, November 9, 2022. 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 resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the November 9, 2022 meeting.

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