

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING MARK LAESE
3516 SANDY BEACH DRIVE – RLD ZONING DISTRICT
CPN 22-086 – TM# 98.15-1-43.100
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 construction of a new garage addition and associated site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Marks Engineering, dated November 29, 2022, and received by the Town Development Office on December 16, 2022, and all other relevant information submitted as of April 25, 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 seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

John Robortella, Secretary of the Board

L. S.

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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 January 17, 2023 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. The comments within the Town Engineer's letter are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
5. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.

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3516 SANDY BEACH DRIVE – RLD ZONING DISTRICT
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SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for the construction of a new garage addition 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 Marks Engineering, dated November 29, 2022, and received by the Town Development Office on December 16, 2022, and all other relevant information submitted as of April 25, 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. The Zoning Board of Appeals granted the requested area variance at their January 17, 2023 meeting.
6. A Zoning Law Determination was prepared dated December 1, 2022:

DETERMINATION:

Sandy Beach Drive intersects the parcel. There is an existing garage on the east side of which the applicant is proposing a 648 square foot addition.

Staff has determined the application incomplete at this time and requests the following:

- a. Existing conditions plan. Site was subject to site plan review in 2020 and construction has since been completed.
- b. Checklist parameters have not been met including existing and proposed contours, topography, existing versus proposed structures, with setbacks, limits of pavement/parking. Refer to the site plan checklist and ensure all is included.
- c. Garage elevations.

REFERRAL TO ZONING BOARD OF APPEALS:

Potential lot coverage variance request, tbd. Staff cannot determine, accurately, what variances are needed for this application.

REFERRAL TO PLANNING BOARD FOR:

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

CODE SECTIONS: Chapter §1-17; §220-21 §220-70

7. This application was referred to the following agencies for review and comment:
 - Chris Jensen, Town CEO
 - Town Environmental Conservation Board
 - MRB Group
 - Canandaigua City Fire Department

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FINDINGS

8. Chris Jensen, Town CEO, provided comments on November 21, 2022:

CPN 2022-086

Laese – Sandy Beach

- Provide existing conditions/survey plan. Although an engineer can complete a survey – this application is for a variance which involve lot sizes and boundary. An existing conditions plan is required. Reference existing conditions plan on proposed site plan. The existing site was approved in 5/2020. – the survey reference utilized is from 2019. Provide a recent survey plan – since the construction of the 2020 project was completed.
- Planning Board application MUST be signed by owner in all locations. We cannot accept ‘authorization form’.
- Site plan is lacking standard information required in checklist. Topography.. elevations..
- The site plan does not detail what is proposed and what is existing on the site plan.
- The 2020 plan detailed a smaller paved drive to the garage. This plan appears to have a wide drive. Is the existing site in violation of the approved 2020 site plan? Plan does not label area in front of existing garage.

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

Additional Comments from the ECB Meeting:

Recommendations:

- Application is incomplete and not ready for review.
- Photos taken by Mr. Kochersberger and put on the Board Docs page.

The Town ECB also provided comments at their January 5, 2023 meeting:

Additional Comments from the ECB Meeting:

- Mr. Kochersberger asked which concrete would be removed as there are concrete walkways and a large patio area near the lake. The Development Office has asked about the walkways but has not heard back on that issue.
- Existing lot coverage is 29.9%. The proposed is 36.3% with a variance request of 6.3%.
- Existing conditions previously missing have been submitted. Contours are not necessary for this lot as it is flat.
- Mr. Obenauer said that he and Mr. Kochersberger visited this property. He said that minimizing the driveway may help.
- Ms. Burkard suggested changing the walkways.
- Mr. Obenauer said that the garage is in rough shape and has pooling water around it.
- Mr. Casey suggested that the ECB make a suggestion to the Ordinance Committee regarding the use of permeable surfaces.

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FINDINGS

Discussion of pervious surfaces. This discussion will be added to the February ECB agenda. Ms. Burkard mentioned Kevin Olvaney's input should be solicited. Mr. Obenauer said that pervious surfaces should be seen as a positive good without being an offset.

- Ms. Burkard noted that in Chris Jensen's comments that there is a possible violation of the 2020 plan with a current driveway larger than what was noted on the 2020 plans. That would need resolution before this could move forward as this will be a key element to the lot coverage issue.
- Ms. Davey noted that there are plants that will help absorb water which may be useful on this site.

Recommendations:

- The ECB recommends that the variance not be granted and that the applicant revises plans and reduce lot coverage via reducing the garage size and/or removing concrete walkways/patios onsite to remain at or below the 30% lot coverage limit.
- The ECB requests that a landscaping plan, with inclusion of native species, be submitted for review before site plan approval.
- The ECB recommends that the existing conditions for the driveway be clarified and addressed, per Chris Jensen's comments regarding the 2020 plan, before this application moves forward.

10. Comments were received from MRB Group in a letter.

11. Frank Magnera, Canandaigua City Fire Department Fire Chief, responded in an email dated January 9, 2023, that he had no comments:

I have reviewed the application CPN-22086 & CPN -22- 089. I have no comments at this time.

I have also reviewed application CPN – 22085. I have no comments at this time for this application either.

12. The Planning Board has considered all comments as part of their review of the application.

13. 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.

14. The Planning Board thoroughly discussed the Shoreline Development Guidelines with the applicant.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING MICHAEL KEARNEY
3555 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 23-018 – TM# 98.17-1-15.000
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 construction of a new garage addition and associated site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Marks Engineering, dated February 1, 2023, and received by the Town Development Office on January 31, 2023, and all other relevant information submitted as of April 25, 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.

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Mark Tolbert -
Scott Neal -
Bob Lacourse –
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TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING MICHAEL KEARNEY
3555 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 23-018 – TM# 98.17-1-15.000
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

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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, front setback, side setback, and building lot coverage at their March 21, 2023 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. The comments within the Town Engineer's letter are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
5. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.

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3555 COUNTY ROAD 16 – RLD ZONING DISTRICT
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3555 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 23-018 – TM# 98.17-1-15.000
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

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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 March 21, 2023 meeting.
6. A Zoning Law Determination was prepared dated :
7. This application was referred to the following agencies for review and comment:
 - Chris Jensen, Town CEO
 - MRB Group
8. Comments were received from MRB Group in a letter dated April 20, 2023.
9. The Planning Board has considered all comments as part of their review of the application.
10. 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.
11. The Planning Board thoroughly discussed the Shoreline Development Guidelines with the applicant.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GROVE ENGINEERING REPRESENTING JOSEPH CLEMENT
4065 STATE-ROUTE 21 AR-2 ZONING DISTRICT
CPN 23-023 – TM# 111.00-1-27.000
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 construction of a new single family residence and associated site improvements on an existing vacant parcel within the AR-2 zoning district, as shown on the Single-Stage Site Plan prepared by Grove Engineering, dated February 23, 2023, and received by the Town Development Office on March 1, 2023, and all other relevant information submitted as of April 25, 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

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TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GROVE ENGINEERING REPRESENTING JOSEPH CLEMENT
4065 STATE ROUTE 21 AR-2 ZONING DISTRICT
CPN 23-023 – TM# 111.00-1-27.000
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 construction of a new single family residence and associated site improvements on an existing vacant parcel within the AR-2 zoning district, as shown on the Single-Stage Site Plan prepared by Grove Engineering, dated February 23, 2023, and received by the Town Development Office on March 1, 2023, and all other relevant information submitted as of April 25, 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 ☐ 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. The comments within the Town Engineer's letter are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
5. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
6. 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.
7. Prior to the issuance of a building permit, an approval from the Canandaigua Lake Watershed Inspector regarding their review of the on-site wastewater treatment system design is to be provided to the Town of Canandaigua Town Development Office.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GROVE ENGINEERING REPRESENTING JOSEPH CLEMENT
4065 STATE ROUTE 21 AR-2 ZONING DISTRICT
CPN 23-023 – TM# 111.00-1-27.000
SINGLE-STAGE SITE PLAN APPROVAL

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2. The project is detailed on the Single-Stage Site Plan prepared by Grove Engineering, dated February 23, 2023, and received by the Town Development Office on March 1, 2023, and all other relevant information submitted as of April 25, 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 _____:
6. This application was referred to the following agencies for review and comment:
 - Chris Jensen, Town CEO
 - MRB Group
7. Comments were received from MRB Group in a letter April 20, 2023.
8. The Planning Board has considered all comments as part of their review of the application.
9. 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.
10. The Planning Board thoroughly discussed the Shoreline Development Guidelines with the applicant.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING ANGELO LICCIARDELLO
SUNSET RIDGE ESTATES/ LAKEWOOD CUSTOM HOMES RESIDENTIAL
DEVELOPMENT - SUNSET RIDGE PHASE 1
3535 STATE ROUTE 364 – R-1-20 ZONING DISTRICT
CPN 23-017 – TM# 98.19-1-20.100

FINAL PHASE 1 SUBDIVISION PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Final Phase 1 Subdivision Approval for the construction of 10 lots (9 single-family residential dwellings lots and 1 open space lot), construction of Road ‘A’ and associated utilities, infrastructure, and other improvements, located at 3535 State Route 364, and detailed on plans dated February 1, 2023, last revised April 18, 2023 all prepared by Marks Engineering, and all other relevant information submitted as of April 25, 2023 (the current application); and

WHEREAS, the Planning Board granted Preliminary (Phased) Overall Subdivision Approval to divide the 33.18 acre parcel into 33 Lots creating 2 open space lots and 31 single family lots ranging in size from +/- 0.46 acres to +/- 2.74 acres for the construction of 31 single-family residential dwellings and associated roadways, utilities, infrastructure, and other improvements, located at 3535 State Route 364 at their June 14, 2022 meeting; and

WHEREAS, as part of the approval of the Preliminary Overall (Phased) Subdivision Plan Approval, and in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), the Town of Canandaigua Planning Board declared this to be a Type I Action and a Determination of Non-Significance was adopted June 14, 2022; and

WHEREAS, in compliance with NYS Town Law, the Planning Board held public hearings on the Preliminary Overall (Phased) Subdivision Plan application at meeting dates of April 12, 2022, May 10, 2022, May 24, 2022, and June 14, 2022; 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. The Preliminary Overall Phased Subdivision Plans are to be signed prior to signatures being affixed to the Final Phase 1 Subdivision Plans.
2. The Final Phase 1 Subdivision Plan Approval with conditions as specified is valid for a period of 180 days from today. If revised Final Phase 1 Subdivision Plans meeting all conditions of approval have not been submitted and signed prior to the end of this period, than this resolution shall become null and void unless an extension is requested by the Applicant and approved by the Planning Board at a later date with a separate resolution.
3. Payment of a fee in lieu of a set aside of parkland shall be made at the time of issuance of building permits pursuant to Town Code Chapter 111 and NYS Town Law.
4. Once the Final Phase 1 Subdivision Plans are signed by the Planning Board Chairman they're to be filed in the office of the Ontario County Clerk within sixty-two (62) days from the date of approval or such approval shall expire (NYS Town Law Section 276-11).
5. A Management and Operation Plan/ Agreement and HOA documents for the overall project shall be submitted to the Town Attorney for review and approval and such approval

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DEVELOPMENT - SUNSET RIDGE PHASE 1
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FINAL PHASE 1 SUBDIVISION PLAN APPROVAL

shall be obtained prior to the Planning Board Chairman's signature being affixed to the Final Phase 1 Subdivision Plans.

6. A note is to be added to the Final Phase 1 Subdivision Plans that states that the proposed open space areas are to be maintained by the developer until such time such time that the Home Owners Association (HOA) is established and the properties are transferred. The open space maintenance to be as specified in the HOA documents on file with the Town of Canandaigua.
7. The comments within the Town Engineer comment letter and any subsequent reviews are to be addressed to the satisfaction of the Town Engineer prior to Final Phase 1 Subdivision Plans being signed by the Planning Board Chairman.
8. The comments within the Town Highway & Water Superintendent comment letter and any subsequent reviews are to be addressed to the satisfaction of the Town Highway & Water Superintendent prior to Final Phase 1 Subdivision Plans being signed by the Planning Board Chairman.
9. All comments from the Canandaigua Lake County Sewer District are to be addressed and approval of the sanitary sewer design received prior to signing by the Planning Board Chairman.
10. All comments from NYS Department of Transportation (DOT) are to be addressed and approval of the design is to be received prior to signing by the Planning Board Chairman.
11. The Management and Operation Plan/ Agreement for the Conservation Easement shall be submitted to the Town Attorney for review and approval and such approval shall be obtained prior to the signatures being affixed to the Final Phase 1 Subdivision Plan.
12. All easement language and maps are to be submitted to the Development Office and Planning Board Attorney for approval and such approval shall be obtained prior to the Planning Board Chairman's signature being affixed to the Final Phase 1 Subdivision Plans. The easements shall be filed at the Ontario County Clerk's Office and copies of the filed easements are to be submitted to the Town Clerk within five (5) days of them being filed. Failure to file such easements shall invalidate this approval.
13. A note is to be added to the plans stating that Lots 1-19 as part of the building permit application for each lot are to be forwarded to the Town PRC meeting for review and compliance with the Final Phase 1 Subdivision Plans. If the PRC determines that the plans are not in compliance with the Final Phase 1 Subdivision Plans, then PRC will forward the individual lot plan to the Planning Board for review and approval.
14. The applicants proposed Deed Restriction language is to be submitted to the Town of Canandaigua Town Attorney for review and approval prior to signatures being affixed to the Final Phase 1 Subdivision Plans.
15. The sidewalks along NYS Route 364 are to be installed from the southern property line of Lot 19 to the northern property line of Lot 1 and to be constructed as part of Phase 1.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING ANGELO LICCIARDELLO
SUNSET RIDGE ESTATES/ LAKEWOOD CUSTOM HOMES RESIDENTIAL
DEVELOPMENT - SUNSET RIDGE PHASE 1
3535 STATE ROUTE 364 – R-1-20 ZONING DISTRICT
CPN 23-017 – TM# 98.19-1-20.100

FINAL PHASE 1 SUBDIVISION PLAN APPROVAL

16. The U.S. Army Corps of Engineers (ACOE) jurisdictional review and determination letter is to be provided to the Town of Canandaigua prior to signatures being affixed to the Final Phase 1 Subdivision Plans.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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FINDINGS

PRELIMINARY OVERALL (PHASED) SUBDIVISION APPROVAL - 2023

1. The Planning Board approved the Preliminary Overall (Phased) Subdivision approval divide a 33.18 acre parcel into 33 lots, with 2 open space lots and 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.
2. The project is detailed on site plans dated February 1, 2022, prepared by Marks Engineering, and as approved at the June 14, 2022 meeting.
3. On April 12, 2022; May 10, 2022; May 24, 2022; and June 14, 2022, in compliance with NYS Town Law, the Planning Board held public hearings on the current application and completed a formal review of the application.
4. The Planning Board classified the project as a Type I Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations.
5. Town of Canandaigua Development Office has coordinated the review of the application with a number of agencies including Ontario County Planning Board, Ontario County Department of Public Works, Canandaigua Lake County Sewer District, City of Canandaigua Fire Department, NYSDOT, NYSDOH, NYSDEC, Canandaigua Lake Watershed Council, Town of Canandaigua Town Board, Town of Canandaigua Highway & Water Department, Town of Canandaigua Environmental Conservation Board, Town of Hopewell Town Board, Town of Hopewell Highway Department, Town of Gorham Town Board, Ontario County Emergency Management Office, Finger Lakes Community College, Canandaigua City School District, Town of Hopewell Planning Board, and State Historic Preservation Office.
6. Town Development Office has not received any written objections from the above listed agencies to the Town of Canandaigua Planning Board being designated as the lead agency under the SEQR Regulations.
7. On June 14, 2022 the Planning Board designated itself as lead agency for the proposed development and determined that the development WILL NOT result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form (EAF) Parts 1, 2, and 3 and the supporting information provided by the design engineers.
8. A Zoning Law Determination was prepared dated May 24, 2022:

DETERMINATION:

- The proposed number of single-family residential lots and configuration is consistent with the underlying zoning requirements of the R-1-20 district.
- Staff reviewed the parcel, per its rating in the Canandaigua Open Space, Conservation and Scenic Views Master Plan (OSSV Master Plan), 2018. Note that all parcels in the Town of Canandaigua have a parcel rating which assigns that property a “score” based on

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a variety of open space features (the highest rated parcels are 8,800 and above). Subject parcel scored 2,022 and is therefore not a property of significance, or a land of conservation value:

a. Sections of this property are within the Scenic Viewshed Overlay District, which is guided by Map 10, OSSV Master Plan, "*Land Visible from Canandaigua Lake*." The Planning Board will need to make a finding pursuant to Section 220-33.1 (1) to authorize the lots that do not meet the one-acre threshold. Areas of Section 3 and 4 are in the Scenic Viewshed Overlay district therefore they are required to be one-acre in size.

b. The middle portion of the parcel can be seen in Map 6, OSSV Master Plan, "*Steep Slopes*." Portions of that area are above a 15% slope. Planning Board is requiring that area be put into a Conservation Area, under easement. There are some other questionable areas and portions of a few lots may have additional disturbance at time of construction. A separate grading analysis should be done as it relates to Section 220-8 of the Steep Slope provisions in the code.

c. Parcel is NOT in the Strategic Forest Protection Area.

d. Parcel is NOT rated as a Scenic Viewpoint.

e. Portions of the parcel have Successional Northern Hardwood Forest but there is no indication of Silver Maples.

- Any project located with frontage along NYS Route 364 should provide a 15' easement for future sidewalk development.
- The Town has preliminarily discussed this parcel as part of the gateway signage master plan. Applicant has agreed to allow placement of a "*Welcome to Canandaigua*" sign. Location to be determined.
- Proposed Road B connects to the Town of Hopewell via County Road 18. There is no draft agreement related to the Town of Hopewell taking over maintenance of this road. This will need to be finalized.
- Site development features currently do not include trail networks connecting the two residential areas. Sidewalks are proposed on the NYS Route 364 side of the project.
- A homeowner's association is now necessary as the SWM facilities will be under their purview as well as common easement areas, including the conservation easement on the steep slope portion of the property.

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- Staff is suggesting each lot come in for individual site plan review once the house has been selected, to ensure proper siting, in conformance with all environmental constraints and ultimate Planning Board conditions of approval.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application was referred to the Ontario County Planning Board, on 2/22/2022, due to the proximity to NYS Route 364. The OCPB recommended approval of the referral at their 03/09/2022 meeting.

REFERRAL TO PLANNING BOARD FOR:

- All subdivisions shall be reviewed by the Planning Board for approval.
- Finding pursuant 220-33.1 D of the Code.

CODE SECTIONS: Chapter §1-17; §174; §220-8, §220-19, §220-33.1, §220-68

9. This application was referred to the following agencies for review and comment:

- Canandaigua Lake County Sewer District
- Chris Jensen, Town CEO
- Town Environmental Conservation Board
- James Fletcher, Town Highway and Water Superintendent
- MRB Group
- Ontario County Planning Board
- Hopewell Fire Department
- Gorham Fire Department
- Crystal Beach Fire Department
- Kevin Olvany, Canandaigua Lake Watershed Council
- Greg Trost, NYSDOT
- Ontario County DPW
- Town of Hopewell
- Town of Gorham
- Canandaigua City School District

10. Canandaigua Lake County Sewer District responded in an email dated March 3, 2022:

Good afternoon -

The above application was received last Wednesday and will be reviewed as soon as it is administratively possible. Comments will be forwarded directly to the applicant's engineer.

Apologies for not getting this to you on Tuesday.

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11. Chris Jensen, Town CEO & MS4 Coordinator, provided comments in an email dated February 22, 2022, and an email dated April 26, 2022:

2022-012

3535 State Route 364

- Existing conditions plan with boundary to be provided – stamped and signed by surveyor. Plans received by Town have signature space.. but aren't signed or stamped.
- Boundary on proposed plans to be shown and referenced from existing conditions survey. Plans received by Town have signature space.. but aren't signed or stamped.
- Proposed subdivision plan to be stamped by surveyor. Plans received by Town have signature space.. but aren't signed or stamped.
- Remove topography from Utility plan – clutters up plans and makes it illegible. C200
- C101 & C102 – provide boundary information on plan. Provide zoning chart. Reference survey/subdivision plan.
- Emergency vehicle turnarounds to be provided with no-parking fire lane signage. Including the portion which is part of homeowner's driveway.
- Sidewalks missing from plans.
- Pdf provided to Town is on 8.5"x11" sheets – Provide updated plans on correct size sheets which scale.
- Place wording 'PRELIMINARY' in titleblock of all sheets. (besides 'preliminary – not for construction' note.

From: cjensen@townofcanandaigua.org <cjensen@townofcanandaigua.org>

Sent: Tuesday, April 26, 2022 8:12 AM

To: 'Shawna Bonshak' <sbonshak@townofcanandaigua.org>

Subject: Sunset Ridge - Stormwater Management on Privately Owned Parcels

Please distribute and make part of the record.

Planning Board,

I am writing this letter as the MS4 Program Coordinator.

Part of the role of the MS4 program coordinator is to maintain a database of the various stormwater management facilities located throughout the Town. Every facility is inspected once every 36 months at a minimum. Currently we have over 70 facilities in our database.

Many of the stormwater facilities are located within subdivisions or on commercial parcels, where there exists an Owner or Association which is responsible for the maintenance of the infrastructure. Prior to closing out a subdivision, commercial project, and/or DEC permit, the owner/HOA is required to sign a Stormwater Facility Maintenance Agreement and file it with the Town and County. These agreements spell out that the owner/HOA is responsible to maintain and bear the cost of maintaining the stormwater infrastructure.

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After a period of time, stormwater facilities require cleaning. Often the cost of cleaning these facilities can be upwards of \$15,000-\$20,000. The ponds are drained and the sediment is removed with specialized equipment. The sediment is then trucked off site and often requires special treatment before it can be used as fill. Then the site needs to be repaired and vegetation established.

I would advise against permitting a stormwater management facility to be located on a private parcel and the responsibility of the maintenance be placed on a private individual. If you place a facility on a private parcel, the owner often does not see the pond as an engineered system, but as a landscape feature. The owners often do not maintain the riparian area along the pond edge, and remove the beneficial parts of the engineered system. If the owner does not maintain the systems, the Town is then burdened with the requirement to initiate violation procedures against a private landowner.

Placing the burden on the Town to maintain the system is also not ideal or a desired path. Since the creation of the MS4 program, the Town has not taken ownership or responsibility for the maintenance of additional stormwater facilities located within residential developments.

I would encourage the ponds and other infrastructure to be placed on independent parcels and owned/maintained by an HOA.

12. The Town Environmental Conservation Board provided comments at their March 3, 2022 meeting:

Additional Comments from the ECB Meeting:

- Ms. Bonshak said that the original application came in for the MUO and a high-density development. The original density of the site (100+ townhomes) was too high for approval. There was a very steep connector road from RTE 364 to the other side of the site. There are nine preliminary approved lots on the east side of the site (Co Rd 18) that are in the Town of Hopewell. The current zoning of R120 was suggested to the developer. During this process the Scenic Viewshed Overlay (SVO) was approved and half of the parcel is now in the SVO with 1-acre lot minimums. There are 19 single-family lots on the RTE 364 side and 12 on the other side.
- The developer is preserving the steep slope areas and keeping those wooded.
- There will be two roads—one off of RTE 364 and one from the Hopewell side.

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- Ms. Bonshak noted that the woods on this site are second-growth. There is an Army Corps of Engineers designated wetland in the corner of the property. Storm water management ponds to be located on private lots and the owner of those lots would take on the storm water maintenance. The Department of Health may not allow this—TBD.
- Ms. Rudolph noted no sidewalks or trails noted on plans. Ms. Bonshak said that the developer has agreed to install sidewalks at the bottom but not at the top.
- There discussion that the new design is an improvement over the previous design.
- There is a variety of acreage in the proposed lots.
- Mr. Kochersberger commented on the Climate Smart Communities presentation recently made to the Town Board. He questioned if we should be making recommendations with that in mind. For example: not using the natural gas that runs by this development. He noted that electricity here is 80% from renewable sources. He suggested heat pumps as opposed to gas heat. Ms. Bonshak said that as a board that can be part of the goals and intent which guides our reviews. Mr. Kochersberger noted incentives for geothermal. Mr. Damann also suggested geothermal. Ms. Bonshak said that the ECB could suggest that for new sites like this. Mr. Damann also suggested that community solar is also possible. Geothermal and solar can be a benefit of the HOA, though this site doesn't have an HOA. Ms. Rudolph asked how could geothermal (for example) be encouraged. Ms. Bonshak said as the town moves forward with a Climate Smart designation, that could open up these recommendations to have more power. Ms. Rudolph said that it could be explored as carbon offsets as well.

Recommendations:

- The ECB recommends that the applicant minimize disturbance/development in the steep slope areas and wetland areas (building lot 18) identified in the Wetland Delineation Report (October 11, 2021).
- As large portions of the wooded areas will be removed, a concerted effort should be made in the landscape plan to mitigate the loss. The landscape plan should also include detailed information on the proposed vegetative filter strips and responsibilities for maintaining (similar information on other infiltration structures should be provided as applicable).

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- The ECB appreciates the improvements made on the roadway design - Reduction in the amount of paved area, tree buffer maintained between the developments, roadway that is more contoured with the slope, and additional infiltration structures have been added to the plan. (May 2021 recommendation - The current design of the roadway may lead to surface water runoff issues during significant rain events. It is recommended that the applicant explore additional design to mitigate the surface water runoff at the site to lessen impacts to NYS-364 and surrounding properties.)
- The ECB appreciates the inclusion of additional infiltration structures and design revisions to mitigate stormwater runoff at the site. (May 2021 recommendation - We also recommend that the applicant consider further measures to promote infiltration at the property to offset the amount of paved area at the site.)
- The ECB appreciates the inclusion of dark sky compliant lighting in the design.

13. Comments were received from Jim Fletcher, Town Highway and Water Superintendent.
14. MRB Group provided comments in letters dated March 2, 2022, and March 28, 2022.
15. Ontario County Planning Board provided comments at their March 8, 2022 meeting:

May 2021 Comments

1. The 2006 SR 364 (CR 18 to CR 11) Access Management Plan provides a conceptual layout of internal roads to access undeveloped lands bounded by CR 18, SR 264, and Turner Road. The conceptual plan indicates an east-west road in the area of this development as well as a north-south cross street to further expand travel routes through the area and minimize the number of new access points on SR 332 and CR 18.

CLCSD May 2021 Comments

To date, we have only received preliminary/conceptual drawings for the referral. The site is currently outside the boundaries of an existing sewer district - detailed plans of the entire development need to be provided to our office for review and approval.

March 2022 Comment

1. The proposed private drives extend north and south towards adjacent properties, but not all the way to the lot line. Are these private drives going to be built to Town standards to allow potential future dedication and entry/exit from both SR 364 and CR 18 for area residents as adjacent properties are developed?
 2. Location and maintenance of stormwater management ponds on individual lots is likely not adequate. The referring body should require dedication or easements for stormwater ponds and swales. If facilities are not dedicated to the town, a homeowners association should be established to fund and undertake required maintenance and an access easement should be established to allow town access for emergency maintenance or repair.
 3. Has the Town considered the desirability of a pedestrian and/or bicycle connection between the two portions of the project?
 4. Is the retained vegetation sufficient to buffer properties to the north from proposed development?
-
5. The concept plan for the SR 364-CR 18 Access Management Plan indicates conceptual interconnected roadway network to minimize access connections to SR 364 and provide an indirect new interconnection between SR 364 and CR 18.

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16. No comments were received from the Hopewell Fire Department.
17. No comments were received from the Gorham Fire Department.
18. No comments were received from the Crystal Beach Fire Department.
19. Kevin Olvany, Canandaigua Lake Watershed Council, provided comments in an email dated May 23, 2022:

I did a quick look at the new site plans. I also reviewed MRB's extensive comments on the previous version of the site plan. Has MRB weighed in on whether all of their comments have been addressed. These were great comments. Areas I would highlight and emphasize are making sure all of the stormwater ponds and green infrastructure/infiltration areas identified in the SWPPP have HOA ownership and maintenance responsibility. I would argue the Town should consider taking dedication of these areas through a Stormwater District- I may have lost that argument. I would highly recommend that if the HOA fails to meet its obligations or defaults- there is a clear path for the Town to implement AND to charge back any maintenance that needs to be done. MRB- pointed out getting the pre-development CNS right- I absolutely agree. Woods should be in good condition. Farm runoff should be meadow.

The grading plan looks like they are stripping the whole site- do they have a map that shows what existing vegetation is going to remain.

Overall- I would make sure you have adequate answers to all of MRB's questions/comments before moving this forward. The drop box info doesn't have changes to the SWPPP and calculations.

20. No comments were received from Ontario County Department of Public Works.
21. Greg Trost, NYSDOT, provided comments in emails dated February 23, 2022:

Thanks for sending this on to get my opinion. This is a scaled back version I believe of something we've seen before. CPN-21-035 was at this same address. I thought originally they connected the two separate roads into one road, but I can't seem to find the plans to verify that. The developer and their engineer still need to go through the full highway work permit process with a new road being proposed. The sooner they submit something to the NYSDOT, the better. Then again, it appears they are still trying to figure out what they want. FYI, the regional office and this residency will be reviewing the proposal simultaneously.
22. No comments were received from the Canandaigua City School District.
23. No comments were received from the Town of Hopewell.
24. No comments were received from the Town of Gorham.
25. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
26. 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.
27. The Planning Board makes the following findings pursuant to New York State Town Law § 277 and Town Code § 111-9.

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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 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 31 new homes, many of which will be occupied by families with one or more children.
- The proposed subdivision will increase the Town's population.
- This increase in population will intensify the need for land to be used for parks and recreation.
- A suitable park of adequate size to meet the Town's needs cannot be properly located on the proposed subdivision plat.
- The area of the proposed subdivision will include residential lots and dedicated conservation areas. Adequate land for dedication of parkland is not available on the proposed subdivision plat.
- There is not an existing park in the vicinity of the proposed subdivision.
- A fee in lieu of parkland shall be paid at the time of issuance of building permits in the amount per family dwelling unit as established by the Town Board pursuant to Town Code § 111-8.

28. The Planning Board made the finding pursuant to Town Code §220.33.1.D that Lots 1-19 within Sections 1 & 2 even though portions of the site are identified as being located within the Scenic Viewshed Overlay District as mapped by Labella Associates, are not required to meet the 1-acre lot requirements. This was supported by evidence provided by board members that the current elevations and existing vegetation prevented these lots from being visible from the Lake and that the intent of the code was being upheld with the upper sections of the subdivision (Sections 3 & 4) being required to meet the 1-acre lot requirements.

Final Phase 1 Subdivision Plan Approval - 2023

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVISION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
SINGLE-STAGE SUBDIVISION AND SITE PLAN 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 122.5125 +/- acre parcel with an existing single-family house to create new Lot #1 at 5.0 Acres with the proposed construction of a new single family residence as shown on proposed site plans, and Lot #2 at 118.5125 +/- Acres, containing the existing single family dwelling with no new development proposed, located within the AR-2 Zoning District and detailed on the Single-Stage Subdivision Plat and Site Plan dated March 1, 2023 both prepared by Marks Engineering, and all other relevant information submitted as of April 25, 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;

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVISION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
SINGLE-STAGE SUBDIVISION AND SITE PLAN APPROVAL

SEQR RESOLUTION – UNLISTED ACTION

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

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

BE IT FINALLY RESOLVED that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board's determination.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

John Robortella, Secretary of the Board

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.

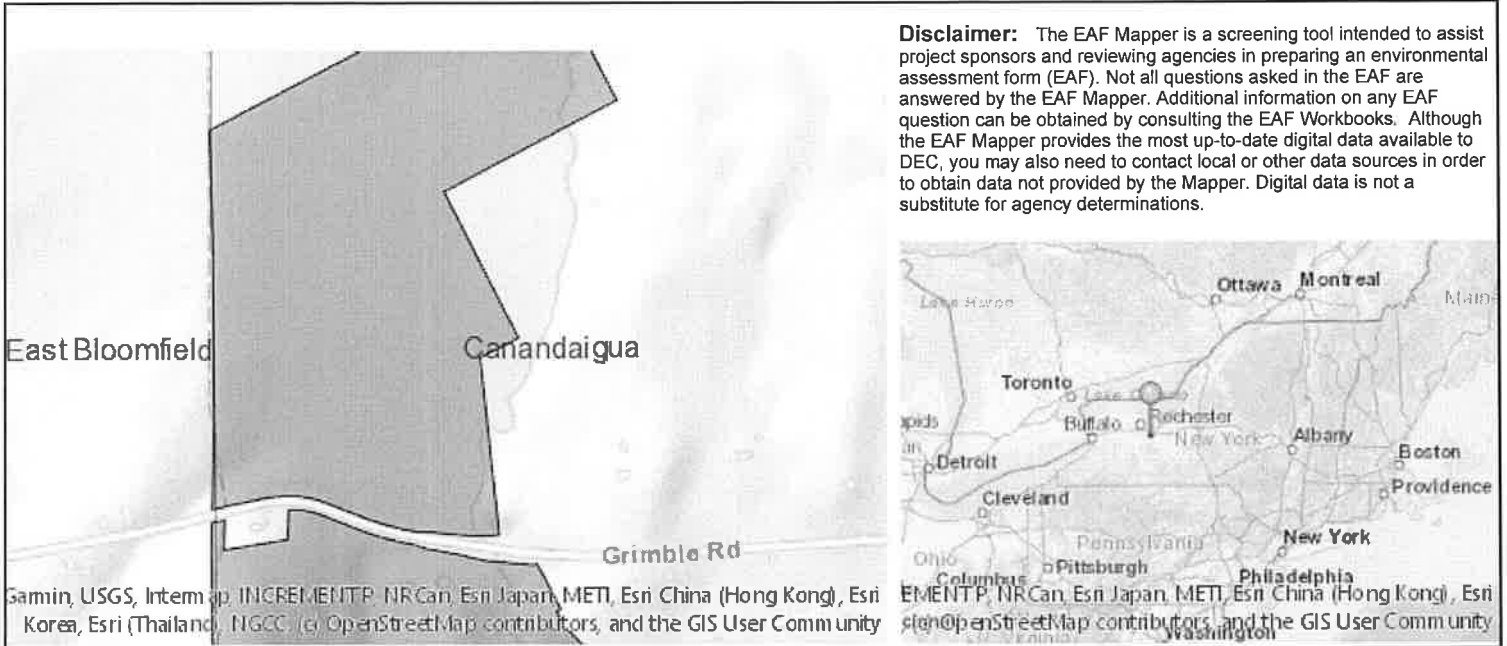
Part 1 – Project and Sponsor Information			
Name of Action or Project: Newbauer Single-Family Residence			
Project Location (describe, and attach a location map): 6265 Grimble Rd. (96.00-1-1.100)			
Brief Description of Proposed Action: This project consists of the subdivision of subject parcel, and the construction of a new single-family residence on the vacant lot. Site improvements include grading, drainage, and utilities.			
Name of Applicant or Sponsor: Joanne Newbauer (applicant)		Telephone: 585-820-1838 E-Mail: sjnewb1@frontier.com	
Address: 61 Holly Berry Ln.			
City/PO: q Durham		State: NC	Zip Code: 27703
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		123.5125 acres	
b. Total acreage to be physically disturbed?		0.95 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		123.5125 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/> <hr/>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<hr/> <hr/>		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<hr/> <hr/>		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<hr/> <hr/>		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>DocuSigned by: Jessie Craker</u> Date: <u>2/27/2023</u>		
Signature: <u>Jessie Craker</u> Title: <u>Owner</u>		
<small>087AEF4BF4064B8...</small>		

EAF Mapper Summary Report

Friday, February 24, 2023 11:59 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
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

Project: CPN 23-020 Craker Subdivision

Date: April 25, 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form Part 3 Determination of Significance

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

The Planning Board 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 April 25, 2023 has determined the proposed action will not likely result in significant adverse impact upon the environment and that a negative declaration is issued.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Canandaigua Planning Board <hr style="border: 0; border-top: 1px solid black;"/> Name of Lead Agency	April 25, 2023 <hr style="border: 0; border-top: 1px solid black;"/> Date
Charles Oyler <hr style="border: 0; border-top: 1px solid black;"/> Print or Type Name of Responsible Officer in Lead Agency	Planning Board Chairman <hr style="border: 0; border-top: 1px solid black;"/> Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	Lance Brabant - MRB Group <hr style="border: 0; border-top: 1px solid black;"/> Signature of Preparer (if different from Responsible Officer)

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVISION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
SINGLE-STAGE SUBDIVISION AND SITE PLAN 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 122.5125 +/- acre parcel with an existing single-family house to create new Lot #1 at 5.0 Acres with the proposed construction of a new single family residence as shown on proposed site plans, and Lot #2 at 118.5125 +/- Acres, containing the existing single family dwelling with no new development proposed, located within the AR-2 Zoning District and detailed on the Single-Stage Subdivision Plat and Site Plan dated March 1, 2023 both prepared by Marks Engineering, and all other relevant information submitted as of April 25, 2023 (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 April 25, 2023 the Planning Board made a determination of significance and filed a negative declaration thereby concluding review pursuant to SEQR; and

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

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

1. Single-Stage Subdivision Plat Approval with conditions specified herein is valid for a period of 180 days from today. Once all conditions of the Single-Stage Subdivision Plat Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
2. 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.
3. A note is to be added to the subdivision plan stating no new development is proposed on Lot #1 and Lot #2, and Lot #1 is not an approved “build-able” lot at this time, requiring Site Plan approval from the Town of Canandaigua Planning Board prior to development occurring on Lot #1.
4. The comments within the Town Engineer comment letter are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVISION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
SINGLE-STAGE SUBDIVISION AND SITE PLAN APPROVAL

SINGLE-STAGE SUBDIVISION PLAT APPROVAL RESOLUTION

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

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

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVISION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
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 construction of a new single family residence on Lot #1 within the AR-2 zoning district, as shown on the Single-Stage Site Plan prepared by Marks Engineering, dated March 1, 2023, and all other relevant information submitted as of April 25, 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 Zoning Board of Appeals granted the requested variance for driveway setback from and existing stream at their April 18, 2023 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. The comments within the Town Engineer's letter are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
5. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
6. 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.
7. Prior to the issuance of a building permit, an approval from the Canandaigua Lake Watershed Inspector regarding their review of the on-site wastewater treatment system design is to be provided to the Town of Canandaigua Town Development Office.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVSION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

8. The subdivision plat is to be signed and filed with the County Clerks Office and Town Development Office prior to issuance of permits or construction beginning on Lot #1.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

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

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVISION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
SINGLE-STAGE SUBDIVISION AND SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board received a Single-Stage Subdivision Plat application for a two (2) lot subdivision, subdividing an existing 122.5125 +/- acre parcel with an existing single-family house to create new Lot #1 at 5.0 +/- Acres, and Lot #2 at 118.5125 +/- Acres, containing the existing single-family dwelling with no new development proposed, located within the AR-2 Zoning District.
2. Detailed on the Single-Stage Subdivision Plat prepared by Marks Engineering, dated March 1, 2023 and all other relevant information submitted as of April 25, 2023.
3. The Town of Canandaigua Planning Board also received a Single-Stage Site Plan application for the construction of a new single-family residence and associated site improvements on new Lot #1 within the RLD zoning district.
4. The project is detailed on the Single-Stage Site Plan prepared by Marks Engineering, dated March 1, 2023, and all other relevant information submitted as of April 25, 2023.
5. 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.
6. The EAF Part 2 and Part 3 were completed by the Planning Board.
7. The Planning Board made a SEQR Determination of Significance and issued a Negative Declaration at the April 25, 2023 Board meeting, concluding SEQR.
8. Zoning Law Determination was prepared dated April 25, 2023, 2023:
9. An area variance for a structure setback from a stream was required and granted by the ZBA at their April 18, 2023 meeting.
10. The application was referred to the following;
 - Chris Jensen, Town CEO
 - James Fletcher, Town Highway & Water Superintendent
 - MRB
11. No comments were received from Chris Jensen, Town CEO.
12. No comments were received from James Fletcher, Town Highway & Water Superintendent.
13. Comments were received from MRB in a letter dated April 20, 2023.
14. The Planning Board has considered all documents and comments received as part of their review of the application.
15. 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.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JESSIE AND GERALD CRAKER – 2 LOT SUBDIVISION
6265 GRIMBLE ROAD– AR-2 ZONING DISTRICT
CPN 23-020 TM# 96.00-1-1.1
SINGLE-STAGE SUBDIVISION AND SITE PLAN APPROVAL

FINDINGS

- 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.
16. 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.
17. 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.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA GROUP, LLC - FOX RIDGE SUBDIVISION - PHASE 5B-3
0000 LACROSSE CIRCLE
CPN 23-016 TM# 97.04-2-100.100

AMENDED FINAL SUBDIVISION/ SITE PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) granted Amended Final Subdivision (Phased) Plat/ Site Plan Approval for the subdivision of a 13-acre parcel into Phase 5B-3 containing 11 new lots (Lots 1-11) along Lacrosse Circle and the construction of 11 new single-family homes and associated site improvements as detailed on the Amended Final Subdivision Plans for Fox Ridge Phase 5B-3 on April 27, 2021; and

WHEREAS, the applicant has since submitted revised plans requesting an Amended Final Subdivision Plat/ Site Plan Approval from the Planning Board as the current site conditions and improvements do not meet the approved plans and therefore require an amended plan approval from the Planning board; and

WHEREAS, amendment Final Subdivision Plans for Fox Ridge Phase 5B-3 dated January 31, 2023 were provided to the Town of Canandaigua for review; 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; X Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. The Amended Final Subdivision Plat Approval with conditions as specified is valid for a period of 180 days from today and shall expire unless the plans have met all conditions of approval and received signatures or an extension is requested by the Applicant and approved by the Planning Board.
2. All street lighting along Lacrosse Cir is to be installed by the developer and accepted by the Town at the time of final dedication of Lacrosse Circle associated with 5B-3.
3. The Planning Board determines that parkland is not a condition of Amended Final Subdivision Plat approval for this application and for reasons stated in the attached findings the Planning Board determines that a Park and Recreation Fee in the amount to be determined by the Town Board on an annual basis is to be paid at the time of application for building permits.
4. The comments within the Town Engineer's letters dated February 6, 2023 are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
5. All comments from the Town Highway and Water Superintendent are to be addressed prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
6. An approval from the Canandaigua Lake County Sewer District (CLCSD) regarding their review of the sanitary sewer improvements is to be provided to the Development Office prior to the issuance of the Certificate of Occupancy.
7. The existing depth and capacity of the stormwater management facility is to be documented and forwarded to the Town Development Office prior to the issuance of C/O's for this development.
8. Prior to issuance of the last Certificate of Occupancy, the existing stormwater management facility and property is to be transferred to the Fox Ridge H.O.A.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA GROUP, LLC - FOX RIDGE SUBDIVISION - PHASE 5B-3
0000 LACROSSE CIRCLE
CPN 23-016 TM# 97.04-2-100.100

AMENDED FINAL SUBDIVISION/ SITE PLAN APPROVAL

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA GROUP, LLC - FOX RIDGE SUBDIVISION - PHASE 5B-3
0000 LACROSSE CIRCLE
CPN 23-016 TM# 97.04-2-100.100

Preliminary Overall

1. In compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), the Town of Canandaigua Town Board during its review of the rezoning request for the original Fox Ridge Overall Subdivision in June of 1989, declared this action to be a Type I Action, completed a coordinated review of the prepared Environmental Impact Statement (EIS), made a determination of non-significance, and issued a Negative Declaration.
2. The Preliminary Overall (Phased) Subdivision Plat Plans were approved at the July 25, 1989 Planning Board meeting.
3. March 16, 2007 an application for Concept Subdivision revising the Preliminary Overall (Phased) Subdivision Plans for Fox Ridge Sections 5 & 6, creating Phase 5A and Phase 5B and removing Section 6.
4. Phase 5A was under construction at the time as it was previously approved as Section 5 of the Fox Ridge Subdivision. Section 6 was removed and now being called Phase 5B.
5. The proposed Concept Subdivision Plans for Phases 5A and 5B reduced the total number of lots from 52 to 48 and in lieu of the originally approved continuous link for Lake Breeze Way, created two cul-de-sacs (La Crosse Circle and Lake Breeze Way) within Phase 5B.
6. The Concept Subdivision Plans titled Conceptual Subdivision Fox Ridge Subdivision Phase 5B were submitted to outside agencies for review/comment and were discussed at the April 10, 2007 Planning Board meeting.
7. In an email dated April 6, 2007, Marilyn Schafer of Ontario County Public Works stated that they have contacted the design engineer at the time (Professional Engineering Group) regarding a request to service the existing homes along Middle Cheshire Road that are adjacent to this project (west property line) with a sanitary sewer.
8. An application for Preliminary/ Final (Phased) Subdivision Plat Plan approval for Phase 5B of the Fox Ridge Subdivision depicting two cul-de-sacs, 28 lots, conservation easement area and utility improvements including a sanitary sewer extension for those homes along Middle Cheshire Road adjacent to Phase 5B was submitted Development Office and reviewed at the April 18, 2007 PRC meeting.
9. October 23, 2007, the revised Preliminary (Phased) Subdivision Plat Plans for the Fox Ridge Phase 5B were approved with fourteen (14) conditions.
10. October 23, 2007, the revised Final (Phased) Subdivision Plat Plans for the Fox Ridge Phase 5B were approved with ten (10) conditions.
11. The Preliminary (Phased) Subdivision Plat Plans for Fox Ridge Phase 5B were signed by all parties including the Planning Board Chairman.
12. The Preliminary (Phased) Subdivision Plat Plan approval for Phase 5B has not been revoked and remains in effect as per the Zoning Law Determination dated May 6, 2013.
13. The applicant did not file the approved Final (Phased) Subdivision Plat Plans for 5B in the Office of the Ontario County Clerk.
14. NYS Town Law Section 276, part 11 states that approved final plats shall expire if not filed within 62 days of approval.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA GROUP, LLC - FOX RIDGE SUBDIVISION - PHASE 5B-3
0000 LACROSSE CIRCLE
CPN 23-016 TM# 97.04-2-100.100

15. Venezia Associates submitted an amended Preliminary (Phased) Subdivision Plat Plan for Fox Ridge Phase 5B dated March 20, 2014 and a letter dated April 2, 2014 containing a matrix of the site statistics for the previous 2007 approved subdivision plan versus the proposed 2014 new plan.
16. The Planning Board reviewed Amended Preliminary (Phased) Subdivision Plat Plans to determine if they were in substantial agreement with the approved 2007 Preliminary (Phased) Subdivision Plat Plans for Fox Ridge Phase 5B dated February 2007 and last revised September 25, 2008.
17. The amended (phased) subdivision plans titled Fox Ridge Subdivision, Phase 5B, dated March 20, 2014 propose a similar layout of 28 lots for single family dwellings, two (2) cul-de-sacs (La Crosse Circle and Lake Breeze Way), a conservation area in the same area as previously approved, utility improvements including water, sanitary and storm sewers throughout Phase 5B and an easement to Canandaigua Lake County Sewer District (CLCSD) for the sanitary sewer extension to those homes along Middle Cheshire Road which were all part of the original 2007 Preliminary (Phased) Subdivision Plat Plan approval.
18. The Planning Board on April 22, 2014 completed a review of the matrix and a comparison of the proposed Amended Preliminary (Phased) Subdivision Plat Plans with the approved 2007 Preliminary (Phased) Subdivision Plat Plans and determined that the proposed Amended Fox Ridge 5B Preliminary (Phased) Subdivision Plat Plans dated March 20, 2014 were in substantial agreement with the previously approved 2007 Preliminary (Phased) Subdivision Plat Plans dated February 2007 and last revised September 25, 2008 (signed).
19. The Amended Preliminary (Phased) Subdivision Plat Plans were revised per the conditions of approval and the Amended Preliminary (Phased) Subdivision Plat Plans were signed by the Planning Board Chairman.
20. Town of Canandaigua Planning Board received a request for Final (Phased) Subdivision Plat approval of the Fox Ridge, Phase 5B-3 Subdivision Plans dated June 2017, last revised January 12, 2018.
21. The project includes 20 new lots (Lots 36 -55) along Lacrosse Circle and the annexation of 4 approved lots (Lots 48, 49, 56, and 57) associated with Fox Ridge 5B-1 into proposed Lot 49 as detailed on the Final Subdivision Plans for Fox Ridge Phase 5B-3.
22. Due to these changes, an Amended Preliminary Overall Subdivision Approval was required.
23. The Amended Preliminary Overall Subdivision Plans proposed 3 phases, 27 lots, one (1) cul-de-sac, a conservation area, utility improvements including water, sanitary and storm sewers as detailed on the Amended Preliminary Plat for Fox Ridge Phase 5B dated April 16, 2015, last revised August 14, 2017 and all other relevant information submitted as of October 24, 2017.
24. The Amended Preliminary Overall Subdivision Plans were approved by the Planning Board on October 24, 2017 with conditions and eventually signed.
25. The Final Phase 5B-3 plans were never submitted for signature and therefore the final approval voided.
26. The Planning Board received a request for Amended Preliminary Overall (Phased) Subdivision Approval and were granted approvals at their January 23, 2018 meeting.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA GROUP, LLC - FOX RIDGE SUBDIVISION - PHASE 5B-3
0000 LACROSSE CIRCLE
CPN 23-016 TM# 97.04-2-100.100

27. These plans were eventually signed.
28. Town of Canandaigua Planning Board received another request for Amended Preliminary Overall Subdivision Plat approval of the Fox Ridge, Phase 5B and Amended Final (Phased) Subdivision Plan Approval of Phase 5B-1 dated October 2019.
29. Phase 5B-1 included the construction of 5 residential lots and the construction of a hammerhead turnaround to be dedicated to the Town of Canandaigua.
30. Due to these changes, an Amended Preliminary Overall Subdivision Approval was required.
31. The Amended Preliminary Overall Subdivision Plans were approved by the Planning Board on November 26, 2019 with conditions.

Fox Ridge Phase 5B-3

32. The Town of Canandaigua granted Final (Phased) Subdivision Plat Approval of the final Phase of the Fox Ridge Subdivision for 12 new lots at the September 22, 2020 meeting.
33. The applicant has then requested Amended Final Subdivision (Phased) Plat Approval now including 11 new lots.
34. As Part of Final Phase 5B-3, includes the subdivision of 13-acres of land to create (11) new lots.
35. Public water and sanitary sewer services will be extended to all lots within Phase 5B-3.
36. Existing stormwater management facilities sized to handle the water quality and quantity requirements for this portion of development was approved with earlier phases. Section 5B and Phase 5B-3 meet all NYSDEC General Permit and Town of Canandaigua requirements regarding stormwater.
37. A Zoning Determination was rendered and dated April 21, 2021:

DETERMINATION:

- Proposed development originally granted Preliminary Subdivision approval in 1986 with the most recent revision approved in 2014.
- Proposed development is of sufficient area and dimension to meet minimum requirements for zoning and building purposes.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to major subdivision within 500 ft. of an Agricultural District

REFERRAL TO PLANNING BOARD FOR:

- Planning Board approval required for Final Subdivision.

38. This application was forwarded to the following outside agencies for review:

- Jim Fletcher, Highway & Water Superintendent
- Town Environmental Conservation Board
- Ontario County Planning Board
- MRB Group, Town Engineers

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA GROUP, LLC - FOX RIDGE SUBDIVISION - PHASE 5B-3
0000 LACROSSE CIRCLE
CPN 23-016 TM# 97.04-2-100.100

- City of Canandaigua DPW
- Town CEO
- Canandaigua Lake County Sewer District
- Kevin Olvany, Canandaigua Lake Watershed
- Chief Cheshire Fire Department
- NYSDOH

39. 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 Fox Ridge 5B-3 subdivision includes a total of 12 new homes, many of which will be occupied by families with one or more children.
- The proposed subdivision will increase the Town's population.
- This increase in population will intensify the need for land to be used for parks and recreation.
- A suitable park of adequate size to meet the Town's needs cannot be properly located on the proposed subdivision plat.
- The area of the proposed subdivision will be 13 +/- acres.
- The area of the proposed subdivision will include residential lots and dedicated conservation areas. Adequate land for dedication of parkland is not available on the proposed subdivision plat.
- There is not an existing park in the vicinity of the proposed subdivision.
- A fee in lieu of parkland shall be paid at the time of issuance of building permits in the amount per family dwelling unit as established by the Town Board pursuant to Town Code § 111-8.

2023 Amended Plan Review

40. The Planning Board received an amended plan dated January 31, 2023 for Lots 5-8 of Fox Ridge Phase 5B-3 as the current site conditions and improvements do not meet the approved plans and therefore require an amended plan approval from the Planning board

41. The applications were referred to the following for review:

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA GROUP, LLC - FOX RIDGE SUBDIVISION - PHASE 5B-3
0000 LACROSSE CIRCLE
CPN 23-016 TM# 97.04-2-100.100

- Town Highway and Water Superintendent
- MRB Group
- Town CEO

42. A comment letter from the Town Engineer was received dated February 6, 2023

43. No comments were received from the Town Highway and Water Superintendent.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARATHON ENGINEERING REPRESENTING EDGEMERE DEVELOPMENT
0000 PARKSIDE DRIVE – FORM BASED CODE – MIXED USE SUBAREA
CPN 22-062 TM# 70.11-1-30.000
SITE PLAN APPROVAL

1ST 90-DAY EXTENSION REQUEST RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) granted Site Plan Approval for construction of a 48-unit multi-family four-story building with a mix of one-bedroom and two-bedroom apartments, community space, parking lots, and associated site and drainage improvements located at 0000 Parkside Drive and within the Form Based Code – Mixed Use Subarea, and detailed on Site Plans titled “Preliminary Site Plans for Parkside Drive Apartments” prepared by Marathon Engineering, dated August 1, 2022, last revised November 11, 2022 at their November 22, 2022 meeting; and

WHEREAS, the applicant has submitted request for extension dated April 6, 2023 as they are still working to address the conditions of approval granted at the November 22, 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 (November 22, 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 1st 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 May 21, 2023. The new expiration date is **August 19, 2023.**

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

John Robortella, Secretary of the Board

L. S.

Town of Canandaigua

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

Established 1789

Extension Request

Applicant / Owner: Edgemere Development

Property Address: 0000 Parkside Drive Tax Map #: 70.11-1-30.000

Reason for Extension: Funding from State still in-process

Signature of Applicant:  Date: 4/6/23

FOR DEVELOPMENT OFFICE USE ONLY

CPN #: _____ Scheduled for the _____ Planning Board Meeting

Extension Request #: _____ Application Type: _____

APPROVED or DENIED

See Planning Board Decision Sheet Dated: _____

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA LAND SURVEYORS REPRESENTING GERBER HOMES & ADDITIONS LLC
0000 FOSTER ROAD – R-1-30 ZONING DISTRICT
CPN 22-074 – TM# 126.00-1-46.420
SINGLE-STAGE SITE PLAN APPROVAL

1ST 90-DAY EXTENSION REQUEST RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) granted Site Plan Approval for the construction of a new single-family residence, and associated site improvements on an existing vacant parcel within the R-1-30 zoning district, as shown on the Single-Stage Site Plan prepared by Venezia Professional Land Surveyors & Joyce Consulting Group Civil Engineers, dated August 31, 2022, at their October 25, 2022 meeting; and

WHEREAS, the applicant has submitted request for extension dated April 18, 2023 as they are still working to address the conditions of approval granted at the October 25, 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 (October 25, 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 1st 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 April 23, 2023. The new expiration date is **July 22, 2023**.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 25, 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 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 April 25, 2023 meeting.

John Robortella, Secretary of the Board

Town of Canandaigua

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

Established 1789

Extension Request

Applicant / Owner: Gerber Homes + Additions / Venezia Land Surveyors

Property Address: Lot 2 Foster Road Tax Map #: 126.00-1-46.420

CPN- 22-074

Reason for Extension: To make necessary revisions per Town
comments (MRB Letter)

Signature of Applicant: [Signature] Date: 4/18/23

FOR DEVELOPMENT OFFICE USE ONLY

CPN #: _____ Scheduled for the _____ Planning Board Meeting

Extension Request #: _____ Application Type: _____

APPROVED or DENIED

See Planning Board Decision Sheet Dated: _____