

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MORRELL BUILDERS INC.
FINAL SECTION 2A & 2B SUBDIVISION PLAN APPLICATION
PIERCE BROOK SUBDIVISION SECTION 2A & 2B
0000 STATE ROUTE 21 SOUTH
SCR-1 ZONING DISTRICT
CPN 23-038 – TM# 97.02-1-52.110

FINAL SECTION 2A & 2B SUBDIVISION PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Final Section 2A & 2B Subdivision Approval for the construction of Section 2A including 34 units, 1,260 +/- LF of public road and associated infrastructure, the second stormwater management facility and all trails, and the construction of Section 2B including the remaining 29 units, remaining 1,275 LF of public road with final connection to Parrish Street Extension, and associated infrastructure and site improvements in the Southern Corridor Residential (SCR-1) zoning district located at 0000 State Route 21, and detailed on Final Section 2A & 2B subdivision plans dated May 1, 2023, prepared by Marathon Engineering, and all other relevant information submitted as of June 28, 2023 (the current application); 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 September 14, 2021; and

WHEREAS, in compliance with NYS Town Law, the Planning Board held a public hearing on the Preliminary Overall (Phased) Subdivision Plan application at its meeting dates of June 22, 2021, August 10, 2021, and August 24, 2021; 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 Final Section 2A & 2B Subdivision Plan Approval with conditions as specified is valid for a period of 180 days from today. If revised Final Section 2A & 2B Subdivision Plans meeting all conditions of approval have not been submitted and signed by the Planning Board Chair 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.
2. 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.
3. An updated Homeowners Association Agreement for Sections 1, 2A & 2B including a plan for the maintenance of the open space areas, trails, and stormwater management facilities shall be submitted to the Town Planning Board Attorney for review and approval and such approval shall be obtained prior to the Planning Board Chairman's signature being affixed to the Final Section 2A & 2B Subdivision Plans.
4. All comments of the Town Engineer comment letter and any subsequent reviews are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.

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FINAL SECTION 2A & 2B SUBDIVISION PLAN APPROVAL

5. All comments from the Town Highway & Water Superintendent and any subsequent reviews are to be addressed to the satisfaction of the Town Highway & Water Superintendent prior to signing by the Planning Board Chairman.
6. 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.
7. All easement language and maps are to be submitted to the Office of Home & Community 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 Section 2A & 2B 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.
8. The Conservation and Trail Easement and associated Maintenance Agreement including the ability for the Town of Canandaigua to chargeback the developer and/or HOA if the trails and conservation area are not adequately maintained is to be provided to the Planning Board Attorney for approval. An approval shall be obtained prior to the Planning Board Chairman's signature being affixed to the Final Section 2A & 2B 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.
9. The Final Section 2A & 2B Subdivision Plans are to be revised to depict a 15' wide sidewalk easement along Parrish Street Extension extending from property line to property line.
10. The Final Section 1 Subdivision Plans are to be revised to provide an 8' wide natural surface trail detail.
11. A surety estimate is to be provided by the Applicant covering the cost of all items to be dedicated to the Town, and also including but not limited to stormwater mitigation measures, landscaping, trail, and erosion and sediment control items for Section 2A and Section 2B. The surety estimate is to be reviewed and approved by the Town of Canandaigua and MRB and then filed with the Town Clerk prior to construction beginning and issuance of a permit for each Section.
12. The Section 2A surety estimate is to include the cost of finishing the public roadway (Pierce Brook Trail) out to Parrish Street Extension.
13. Dedication in accordance with the requirements of the Town of Canandaigua dedication process (Appendix G-9.0) within the Towns adopted Site Design and Development Criteria manual, including the construction of the road base materials, gutters (where required), sidewalks, lighting, and utilities, including Town Board acceptance of the items to be dedicated, are to be completed prior to the issuance of a Building Permit or at the discretion of the Town of Canandaigua. A note is to be added to the plans.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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FINAL SECTION 2A & 2B SUBDIVISION PLAN APPLICATION
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0000 STATE ROUTE 21 SOUTH
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FINAL SECTION 2A & 2B SUBDIVISION PLAN APPROVAL

14. A note shall be added to the Final Section 2A & 2B Subdivision Plans that states that the entire public roadway identified as Pierce Brook Trail is required to be constructed in its entirety with connection to Parrish Street Extension prior to the issuance of the 30th overall building permit (including Section 1 and Section 2A & 2B).

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on June 28, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

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

ALT - Tim Schneider

I, Karine Hatch, 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 June 28, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JOSEPH CUMMINGS REPRESENTING
WIDEWATERS ROSELAND CENTER CO., LLC
POPEYES RESTAURANT
3225 STATE ROUTE 364 – CC ZONING DISTRICT
CPN 23-034 – TM# 98.00-1-46.100
SINGLE STAGE SUBDIVISION 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 to create a separate 1.4 +/- acre parcel for the Popeye's Louisiana Chicken restaurant with a remaining parcel of 19.3 +/- acres detailed on the Single-Stage Subdivision Plat prepared by Delta Engineers, Architects, & Land Surveyors, dated April 6, 2023, and all other relevant information submitted as of June 28, 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
JOSEPH CUMMINGS REPRESENTING
WIDEWATERS ROSELAND CENTER CO., LLC
POPEYES RESTAURANT
3225 STATE ROUTE 364 – CC ZONING DISTRICT
CPN 23-034 – TM# 98.00-1-46.100
SINGLE STAGE SUBDIVISION 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 June 28, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

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

ALT - Tim Schneider

I, Karine Hatch, 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 June 28, 2023 meeting.

Karine Hatch, Secretary of the Board

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: Subdivision of 3225 NY-364, Canandaigua, NY 14424			
Project Location (describe, and attach a location map): 3225 NY-364, Canandaigua, NY 14424			
Brief Description of Proposed Action: Subdivide a shopping center parcel of real property for an out parcel ground lease tenant.			
Name of Applicant or Sponsor: Widewaters Roseland Center Company, LLC		Telephone: 315-445-8596 E-Mail: jcummings@widewaters.com	
Address: 5845 Widewaters Parkway, Suite 100			
City/PO: East Syracuse, New York		State: New York	Zip Code: 13057
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: Approval by the Town of Canandaigua		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.427 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		20.722 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input 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: _____ _____	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input 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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Widewaters Roseland Center Company, LLC</u> Date: <u>April 28, 2023</u>		
Signature: By: <u></u> Joseph R. Scuderi Title: <u>Manager</u>		

Agency Use Only [If applicable]

Project: CPN-23-034 Popeyes Restaurant

Date: June 28, 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, as the designated lead agency for this Action, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Action. Based upon this evaluation, the Planning Board, in a separate resolution adopted on June 28, 2023 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

<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 <div style="text-align: center;">Name of Lead Agency</div>	June 28, 2023 <div style="text-align: center;">Date</div>
Charles Oyler <div style="text-align: center;">Print or Type Name of Responsible Officer in Lead Agency</div>	Planning Board Chairman <div style="text-align: center;">Title of Responsible Officer</div>
<div style="text-align: right;">-MRB Group</div>	
<div style="text-align: center;">Signature of Responsible Officer in Lead Agency</div>	<div style="text-align: center;">Signature of Preparer (if different from Responsible Officer)</div>

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JOSEPH CUMMINGS REPRESENTING
WIDEWATERS ROSELAND CENTER CO., LLC
POPEYES RESTAURANT
3225 STATE ROUTE 364 – CC ZONING DISTRICT
CPN 23-034 – TM# 98.00-1-46.100
SINGLE STAGE SUBDIVISION 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 to create a separate 1.4 +/- acre parcel for the Popeye's Louisiana Chicken restaurant with a remaining parcel of 19.3 +/- acres detailed on the Single-Stage Subdivision Plat prepared by Delta Engineers, Architects, & Land Surveyors, dated April 6, 2023, and all other relevant information submitted as of June 28, 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 June 28, 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.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on June 28, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

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

ALT - Tim Schneider

I, Karine Hatch, 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 June 28, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MCMAHON LARUE ASSOCIATES, P.C. REPRESENTING TOM DELANEY
3492 SANDY BEACH DRIVE – RLD ZONING DISTRICT
CPN 23-041 – TM# 98.15-1-55.000
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

SEQR RESOLUTION – TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) approved the Single-Stage Site Plan application for the demolition of an existing residence and construction of a new single-family home with attached garage, and associated site improvements reducing the overall lot coverage compared to predevelopment conditions, on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan titled “Hoff Property Existing Conditions Map, Preliminary and Final Grading Plan, Landscaping Plan” prepared by McMahon LaRue Associates, P.C., at the March 22, 2022 Planning Board meeting; and

WHEREAS, the Planning Board has received a request for an Amended Single-Stage Site Plan approval as the applicant recently completed the construction of the home and site improvements and does not want to remove all of the asphalt due to the need for additional room for vehicle movement along Sandy Beach Drive and parking areas for vehicles at homesite which as a result increases the lot coverage above the preexisting conditions resulting in the need for a variance; and

WHEREAS, the applicant was granted an area variance for lot coverage from the Zoning Board of Appeals at their June 20, 2023 meeting; 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 June 28, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

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

ALT - Tim Schneider

I, Karine Hatch, 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 June 28, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MCMAHON LARUE ASSOCIATES, P.C. REPRESENTING TOM DELANEY
3492 SANDY BEACH DRIVE – RLD ZONING DISTRICT
CPN 23-041 – TM# 98.15-1-55.000
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

AMENDED SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) approved the Single-Stage Site Plan application for the demolition of an existing residence and construction of a new single-family home with attached garage, and associated site improvements reducing the overall lot coverage compared to predevelopment conditions, on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan titled “Hoff Property Existing Conditions Map, Preliminary and Final Grading Plan, Landscaping Plan” prepared by McMahon LaRue Associates, P.C., at the March 22, 2022 Planning Board meeting; and

WHEREAS, the Planning Board has received a request for an Amended Single-Stage Site Plan approval as the applicant recently completed the construction of the home and site improvements and does not want to remove all of the asphalt due to the need for additional room for vehicle movement along Sandy Beach Drive and parking areas for vehicles at homesite which as a result increases the lot coverage above the preexisting conditions resulting in the need for a variance; and

WHEREAS, the applicant was granted an area variance for lot coverage from the Zoning Board of Appeals at their June 20, 2023 meeting; 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. Amended Site Plan Approval with conditions specified herein is valid for a period of 180 days from today. Once all conditions of Amended 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. All variances as approved by the ZBA are to be detailed on the site plans.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on June 28, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MCMAHON LARUE ASSOCIATES, P.C. REPRESENTING TOM DELANEY
3492 SANDY BEACH DRIVE – RLD ZONING DISTRICT
CPN 23-041 – TM# 98.15-1-55.000
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

AMENDED SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

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

ALT - Tim Schneider

I, Karine Hatch, 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 June 28, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
MCMAHON LARUE ASSOCIATES, P.C. REPRESENTING TOM DELANEY
3492 SANDY BEACH DRIVE – RLD ZONING DISTRICT
CPN 23-041 – TM# 98.15-1-55.000
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. Town of Canandaigua Planning Board approved the Single-Stage Site Plan application for the demolition of an existing residence and construction of a new single-family home with attached garage, and associated site improvements reducing the overall lot coverage compared to predevelopment conditions, on an existing parcel within the RLD zoning district at the March 22, 2022 Planning Board meeting.
2. The Site Plans were titled “Hoff Property Existing Conditions Map, Preliminary and Final Grading Plan, Landscaping Plan” prepared by McMahon LaRue Associates, P.C.
3. The applicant requested Amended Single-Stage Site Plan approval as the applicant recently completed the construction of the home and site improvements and does not want to remove all of the asphalt due to the need for additional room for vehicle movement along Sandy Beach Drive and parking areas for vehicles at homesite.
4. As a result of the amended site plan, an increase in the lot coverage above the preexisting conditions occurred and a need for an area variance.
5. The applicant was granted an area variance for lot coverage from the Zoning Board of Appeals at their June 20, 2023 meeting.
6. 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.
7. 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.
8. A Zoning Law Determination was prepared dated _____:

DETERMINATION REFERENCE:

- Area Variance Application, dated 05/01/2023.
- Cover Letter and Photos To Zoning from McMahon LaRue Associates, P.C., dated 05/01/2023.
- Existing Conditions Plan, prepared by McMahon LaRue Associates, P.C., for Thomas Delaney, dated 05/01/2023.
- Preliminary and Final Delaney Site-Utility-Grading Demolition Plan (page 2 of 5), prepared by McMahon LaRue Associates, P.C., for Thomas Delaney, dated 02/17/2022.

PROJECT DESCRIPTION:

- Applicant is asking for relief from §220-21 (D) (2).

DETERMINATION:

- A 40.4% lot coverage is being proposed where 30% lot coverage is maximum.

REFERRAL TO PLANNING BOARD FOR:

- All Amended Site Plan applications in the RLD must be reviewed and approved by the Town of Canandaigua Planning Board.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
MCMAHON LARUE ASSOCIATES, P.C. REPRESENTING TOM DELANEY
3492 SANDY BEACH DRIVE – RLD ZONING DISTRICT
CPN 23-041 – TM# 98.15-1-55.000
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

REFERRAL TO ZONING BOARD OF APPEALS:

- Project requires a 10.4% lot coverage variance.

CODE SECTIONS: Chapter §1-17; §220-9; §220-21 (D) (2)

9. This application was referred to the following agencies for review and comment:
 - Town CEO
 - James Fletcher, Town Highway and Water Superintendent
 - Canandaigua City Fire Department
10. No comments were received from Jim Fletcher, Town Highway and Water Superintendent.
11. No comments were received from the Canandaigua City Fire Department.
12. The Planning Board has considered all comments as part of their review of the application.