

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 – CONTINUATION 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 at their meeting on June 27, 2023 discussed with the applicant’s representative the need to revise the site plans to further reduce the lot coverage by removing additional pavement from the driveway and parking areas to assist with drainage mitigation as per the originally approved plans; and

WHEREAS, the applicant has not yet submitted revised site plans to the Town; and

WHEREAS, according to the Town of Canandaigua Town Code “failure to comply with any condition or restriction imposed by the Planning Board in granting any site plan approval, special use permit, or subdivision approval shall constitute a violation. Such violation may constitute the basis for revocation of the approval or permit, or for imposing penalties and other applicable remedies against the property owner or other offending parties.”

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their _____ Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 –

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AMENDED SINGLE-STAGE SITE PLAN APPROVAL

AMENDED SINGLE STAGE SITE PLAN – CONTINUATION RESOLUTION

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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
COSTICH ENGINEERING REPRESENTING COLLEEN WEGMAN & CHRIS O'DONNELL
4417 WEST LAKE ROAD – RLD ZONING DISTRICT
CPN 23-044 – TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan Approval for the clearing and grubbing of approximately 3.6 acres, with no proposed site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Costich Engineering, dated May 15, 2023, and all other relevant information submitted as of August 22, 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 that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

BE IT FURTHER RESOLVED that 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
COSTICH ENGINEERING REPRESENTING COLLEEN WEGMAN & CHRIS O'DONNELL
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CPN 23-044 – TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

- (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, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
COSTICH ENGINEERING REPRESENTING COLLEEN WEGMAN & CHRIS O'DONNELL
4417 WEST LAKE ROAD – RLD ZONING DISTRICT
CPN 23-044 – TM# 126.16-2-3.310
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 clearing and grubbing of approximately 3.6 acres, with no proposed site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Costich Engineering, dated May 15, 2023, and all other relevant information submitted as of August 22, 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.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
COSTICH ENGINEERING REPRESENTING COLLEEN WEGMAN & CHRIS O'DONNELL
4417 WEST LAKE ROAD – RLD ZONING DISTRICT
CPN 23-044 – TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
COSTICH ENGINEERING REPRESENTING COLLEEN WEGMAN & CHRIS O'DONNELL
4417 WEST LAKE ROAD – RLD ZONING DISTRICT
CPN 23-044 – TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for the clearing and grubbing of approximately 3.6 acres, with no proposed site improvements on an existing parcel within the RLD zoning district.
2. The project is detailed on the Single-Stage Site Plan prepared by Costich Engineering, dated May 15, 2023, and all other relevant information submitted as of July 25, 2023.
3. 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.
4. The EAF Part 2 and Part 3 were completed by the Planning Board.
5. The Planning Board declared themselves as lead agency and made a SEQR Determination of Significance and issued a Negative Declaration at the July 25, 2023 Board meeting, concluding SEQR.
6. A Zoning Law Determination was prepared dated June 15, 2023:

DETERMINATION:

- The proposed clearing area falls within a steep slope area and the disturbance is greater than 15,000 square feet:
 1. All single-family residential land-disturbing activities in steep slope protection areas, including but not limited to clearing, grading, excavation, building construction, construction of driveways and roads, cutting, and filling, shall be limited to the minimum steep slope protection area necessary to accommodate the proposed use or activity, and shall in no case be greater than 15,000 square feet of steep slope protection area disturbance per parcel, plus land necessary for driveway access, on-site wastewater treatment system, and stormwater management facilities.
 2. If total land disturbance exceeds 7,500 square feet and greater than 50% of land disturbance is within a steep slope protection area, then lot coverage for the entire site shall be reduced to 90% of the allowable lot coverage for the underlying zoning district.
 - Activities within a steep slope protection area requiring site plan review.
 1. The following activities require site plan approval through the Town of Canandaigua Planning Board, pursuant to § 220-64, when located in a steep slope protection area except where specifically exempt in § 220-8C(2): Zone A: 500 square feet or greater of land disturbance within 2,000 feet horizontal distance from the mean high water mark of Canandaigua Lake
 - According to Town Code § 220-33.1(D)(3) regarding Scenic Viewshed Overlay District:
 1. Development shall be located in a manner that maintains the existing landscape features to the greatest extent feasible by locating buildings to complement natural topography. Consideration should be given to blend the proposed development with the existing natural resources. The Planning Board shall consider and may require those elements identified in the Town of Canandaigua Ridgeline Development Guidelines or Shoreline Development Guidelines as part of the site development authorization.
7. This application was referred to the following agencies for review and comment:
 - Ontario County Planning Board
 - Town Environmental Conservation Board
 - Canandaigua Lake Watershed Council
 - MRB Group
 8. The Ontario County Planning Board provided comments at their July 12, 2023 meeting:

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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CPN 23-044 – TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

REFERRAL TO PLANNING BOARD FOR:

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

CODE SECTIONS: Chapter §1-17; §220-9; §220-21; §165-11; §220-8 (C) (1) (a), (E)(2), (E)(5); § 220-33.1(D)(3)

9. The Town ECB provided comments at their July 6, 2023 board meeting:

- The ECB recommends no removal of the trees and vegetation in the steepest slope areas, noted on Oncor as Steep Slope (16-30%) and Extremely Steep Slope (31-60%). The county has made efforts, mentioned by the applicants, to address runoff in this area including two culverts and added rip rap. There is a concern that removal of trees in the steepest areas will cause erosion and a lack of ability for this area to adequately handle extreme weather events that are growing increasingly more common.
- The applicant noted that the new lawn area would be used by young persons playing light sports and other such passive enjoyments. No motorized vehicle use noted. Oncor notes the parcel already with 5 acres of lawn (minus the house and driveway) and the applicant is seeking to add 3.6 acres more. The ECB suggests that the applicant reconsider their plans to include a substantially smaller cleared area as there already are many acres of lawn on the parcel. The smaller area would provide less viewshed impact. Keeping more of the upland slope wooded would provide more water infiltration and stormwater control thereby offering protection to downslope areas including Co Rd 16, the primary residence, and the lake from stormwater events.

10. Comments were received from Kevin Olvany, Canandaigua Lake Watershed Council, in emails dated July 6 & 7, 2023:

I just saw this clearing and grubbing plan for Notre Dame. Due to these storms- I think they should definitely be required to put in stormwater controls on this site. Do you know what their development plans are at the site. Also- it would be a great time to engage them on making some substantial improvements on the agricultural field. We could definitely complete some good projects there.

At this point I am just trying to get some feedback on what they have planned and if there is the opportunity for some partnership work with them along Foster Road. Not sure if that should happen in the cloud permit process?

11. Comments were received from MRB Group in a letter dated July 19, 2023.

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

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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FINDINGS

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 and Ridgeline Development Guidelines with the applicant.

Project: CPN 23-044 Wegman Grading Plan

Date: August 22, 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"/>

Project: CPN-23-044 Wegman

Date: August 22, 2023

Short Environmental Assessment Form

Part 3 Determination of Significance

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

The Planning Board, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Action. Based upon this evaluation, the Planning Board, in a separate resolution adopted on August 22, 2023 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Canandaigua Planning Board

August 22, 2023

Name of Lead Agency

Date

Charles Oyler

Planning Board Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Lance Brabant - MRB Group

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARATHON ENGINEERING REPRESENTING TIM & LISA ASHE
4629 COUNTY ROAD 16 – R-1-30 ZONING DISTRICT
CPN 23-051 – TM# 140.11-1-9.000
SINGLE-STAGE SITE PLAN APPROVAL

SEQR RESOLUTION – TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) received a request for a Single-Stage Site Plan approval for a 150 LF tram to be installed on an existing parcel with an existing single-family dwelling as shown on the Site Plan titled “Final Site Plans for Timothy Ashe Tram” prepared by Marathon Engineering dated May 1, 2023, last revised June 15, 2023 and as discussed at the July 25, 2023 Planning Board 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 Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARATHON ENGINEERING REPRESENTING TIM & LISA ASHE
4629 COUNTY ROAD 16 – R-1-30 ZONING DISTRICT
CPN 23-051 – TM# 140.11-1-9.000
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) received a request for a Single-Stage Site Plan approval for a 150 LF tram to be installed on an existing parcel with an existing single-family dwelling as shown on the Site Plan titled “Final Site Plans for Timothy Ashe Tram” prepared by Marathon Engineering dated May 1, 2023, last revised June 15, 2023 and as discussed at the July 25, 2023 Planning Board 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. 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 site plans are to be revised to depict the location of the additional tree required to replace the tree that is being removed.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 –

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARATHON ENGINEERING REPRESENTING TIM & LISA ASHE
4629 COUNTY ROAD 16 – R-1-30 ZONING DISTRICT
CPN 23-051 – TM# 140.11-1-9.000
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARATHON ENGINEERING REPRESENTING TIM & LISA ASHE
4629 COUNTY ROAD 16 – R-1-30 ZONING DISTRICT
CPN 23-051 – TM# 140.11-1-9.000
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan approval for a 150 LF tram to be installed on an existing parcel with an existing single-family dwelling within the R-1-30 zoning district.
2. The project is detailed on the Single-Stage Site Plan prepared by Marathon Engineering, dated June 1, 2023, and all other relevant information submitted as of August 22, 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 June 9, 2023 and June 26, 2023:

DETERMINATION:

- **This application is denied due to the following:**
 - o **The tram is proposed to be located on both sides of the mean high water mark, which is prohibited per §96-3(B); Any structure, including but not limited to gazebos, decks, porches and shelters, not related to docking and mooring or providing reasonable navigational access is prohibited waterside of the mean high water mark.**
 - o **The lower loading station extends beyond the property line.**
- **The tram will exceed the 100 square foot in total area which is allowed for accessory structures in the RLD.**
- **The side setback for the tram system will be 2.68 feet versus the 12 feet required for an accessory structure.**
- **Activities in a steep slope area of 500 square feet or greater within 100 feet of an open watercourse require site plan approval.**
- **The rear setback for the tram system will be 0 feet versus the 15 feet required for an accessory structure.**

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- **Site plans within 500' of a county road are required to obtain Ontario County**

CPN# 23-051/053

Planning Board Approval.

REFERRAL TO PLANNING BOARD FOR:

- **Site plans in the RLD require approval from the Planning Board.**
- **Activities in a steep slope area require approval from the Planning Board.**

REFERRAL TO ZONING BOARD OF APPEALS:

- **The side setback area variance of 9.32 feet must be granted by the Zoning Board of Appeals.**
- **A variance for an accessory structure greater than 100 square feet must be granted by the Zoning Board of Appeals.**
- **A rear setback area variance of 15 feet must be granted by the Zoning Board of Appeals.**

CODE SECTIONS: Chapter §1-17; §220-9; §220-21; §220-8; §220-8(C)(b); §220(C)(2);
§96-3(B)

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARATHON ENGINEERING REPRESENTING TIM & LISA ASHE
4629 COUNTY ROAD 16 – R-1-30 ZONING DISTRICT
CPN 23-051 – TM# 140.11-1-9.000
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

DETERMINATION:

- The tram will exceed the 100 square foot in total area which is allowed for accessory structures in the RLD.
- The side setback for the tram system will be 2.68 feet versus the 12 feet required for an accessory structure.
- Activities in a steep slope area of 500 square feet or greater within 100 feet of an open watercourse require site plan approval.

REFERRAL TO PLANNING BOARD FOR:

- Site plans in the RLD require approval from the Planning Board.
- Activities in a steep slope area require approval from the Planning Board.

REFERRAL TO ZONING BOARD OF APPEALS:

- The side setback area variance of 9.32 feet must be granted by the Zoning Board of Appeals.
- A variance for an accessory structure greater than 100 square feet must be granted by the Zoning Board of Appeals.

CODE SECTIONS: Chapter §1-17; §220-9; §220-21; §220-8; §220-8(C)(b); §220-21(C)(2)

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

- Town ECB
- Zoning Board of Appeals
- Ontario County Planning Board

7. No comments were received from the Town ECB.

8. The following comments were received the Ontario County Planning Board from their July 12 2023 meeting

How much steep slope disturbed? How much disturbance in general?

Comments:

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
 2. The applicant and referring agency should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
 3. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
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
VENEZIA & ASSOCIATES REPRESENTING UPTOWNE POINTE, LLC
THOMAS ROAD – R-1-30-RESIDENTIAL DISTRICT
CPN 23-066 TM# 70.00-1-2.111
SINGLE-STAGE SUBDIVISION APPROVAL

SEQR RESOLUTION – UNLISTED ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Subdivision to create Lot 1 at .860 acres and Lot 2 at .860 acres Lot 3 at .860 acres, Lot 4 at 1.568 acres, Lot 5 at 1.071 acres, Lot 6 at 1.081 acres and Lot 7 at 22.551 acres, with no new development proposed, and detailed on the Single-Stage Subdivision Plat prepared by Rocco A. Venezia, L.S., dated March 8, 2022 and received on July 3, 2023, and all other relevant information submitted as of August 22, 2023 (the current application); and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the applicant on the above referenced subdivision application (hereinafter referred to as Action); and

WHEREAS, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Short EAF Part 1; and

WHEREAS, the Planning Board has completed Part 2 and Part 3 of the Short EAF; and

NOW, THEREFORE BE IT RESOLVED the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING UPTOWNE POINTE, LLC
THOMAS ROAD – R-1-30-RESIDENTIAL DISTRICT
CPN 23-066 TM# 70.00-1-2.111
SINGLE-STAGE SUBDIVISION APPROVAL

SEQR RESOLUTION – UNLISTED 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, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING UPTOWNE POINTE, LLC
THOMAS ROAD – R-1-30-RESIDENTIAL DISTRICT
CPN 23-066 TM# 70.00-1-2.111
SINGLE-STAGE SUBDIVISION APPROVAL

SEQR RESOLUTION – UNLISTED ACTION

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING UPTOWNE POINTE, LLC
THOMAS ROAD – R-1-30-RESIDENTIAL DISTRICT
CPN 23-066 TM# 70.00-1-2.111
SINGLE-STAGE SUBDIVISION APPROVAL

SINGLE-STAGE SUBDIVISION PLAT APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Subdivision to create Lot 1 at .860 acres and Lot 2 at .860 acres Lot 3 at .860 acres, Lot 4 at 1.568 acres, Lot 5 at 1.071 acres, Lot 6 at 1.081 acres and Lot 7 at 22.551 acres, with no new development proposed, and detailed on the Single-Stage Subdivision Plat prepared by Rocco A. Venezia, L.S., dated March 8, 2022 and received on July 3, 2023, and all other relevant information submitted as of August 22, 2023 (the current application); and

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

WHEREAS, the Planning Board has 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 August 22, 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. 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 signing by the Planning Board Chairman.
3. A note is to be added to the plat stating “No new development is proposed and the new lot is not approved “build-able” at this time, requiring Site Plan approval from the Town of Canandaigua Planning Board.”
4. The following note is to be added to the plat: “As 1 or more 1 acres of land will be disturbed during development of these lots as part of a larger common plan or development or sale, each site plan application for each lot shall be required to obtain coverage under the NYS SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001, and shall include the preparation of a Stormwater Pollution Prevention Plan with post-construction stormwater management practices. Post-construction stormwater management requirements shall include water quality, runoff reduction, and water quantity controls in accordance with the sizing criteria in the most current version of the NYS Stormwater Management Design Manual.”
5. The subdivision plans are to be revised to identify a 30’ wide easement to the Town of Canandaigua along Brickyard Road extending from the northern most property line of Lot 5 “Remaining Lands” to the southernmost property line of Lot 1.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING UPTOWNE POINTE, LLC
THOMAS ROAD – R-1-30-RESIDENTIAL DISTRICT
CPN 23-066 TM# 70.00-1-2.111
SINGLE-STAGE SUBDIVISION APPROVAL

SINGLE-STAGE SUBDIVISION PLAT APPROVAL RESOLUTION

6. The subdivision plat is to be revised to remove the references to rezoning as labeled on proposed Lot B.
7. The subdivision plat is to be revised to provide the rear yard setback line for proposed Lot A.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA & ASSOCIATES REPRESENTING UPTOWNE POINTE, LLC
THOMAS ROAD – R-1-30-RESIDENTIAL DISTRICT
CPN 23-066 TM# 70.00-1-2.111
SINGLE-STAGE SUBDIVISION APPROVAL

FINDINGS

1. Lot 1 at .860 acres and Lot 2 at .860 acres Lot 3 at .860 acres, Lot 4 at 1.568 acres, Lot 5 at 1.071 acres, Lot 6 at 1.081 acres and Lot 7 at 22.551 acres.
2. Detailed on the Single-Stage Subdivision Plat prepared by Rocco A. Venezia, L.S., dated March 8, 2022 and received on July 3, 2023, and all other relevant information submitted as of August 22, 2023.
3. No site improvements are proposed as part of this application.
4. This is an Unlisted Action under SEQR and does not require coordination. A Short Environmental Assessment Form (EAF) Part 1 was completed by the Applicant.
5. The EAF Part 2 and Part 3 were completed by the Planning Board.
6. The Planning Board declared themselves as lead agency and made a SEQR Determination of Significance and issued a Negative Declaration at the August 22, 2023 Board meeting, concluding SEQR.
7. Zoning Law Determination was prepared dated July 11, 2023:

DETERMINATION:

- All proposed lots are sized within the zoning codes for the R-1-30 Zoning District.

REFERRAL TO PLANNING BOARD FOR:

- All Subdivisions are to be reviewed by the Planning Board.

CODE SECTIONS: Chapter §1-17; §220-9; §220-17; §174

8. The application was referred to the following;
 - Town CEO
 - Town Highway and Water Superintendent
 - MRB Group
 - Ontario County Planning Board
 - Canandaigua City Fire Department
9. No comments were received from the Town CEO.
10. MRB Group provided comments in a letter dated July 21, 2023.
11. No comments were received from the Town Highway and Water Superintendent.
12. No comments were received from OCPB.
13. No comments were received from the Canandaigua City Fire Department.
14. The Planning Board has considered all documents and comments received as part of their review of the application.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
NIXON PEABODY LLP REPRESENTING HEIDI COLF
BLUE SKY TOWERS LLC
4430 DEUEL ROAD – RR3 ZONING DISTRICT
CPN 23-061 – TM# 125.00-1-31.111
SINGLE-STAGE SITE PLAN & SPECIAL USE PERMIT APPROVAL

SINGLE STAGE SITE PLAN – CONTINUATION RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single-Stage Site Plan Approval and Special Use Permit Approval for construction and operation of a 155’ communications tower (plus 4’ lightning rod), and associated site improvements, on an existing parcel within the RR3 zoning district, as shown on the Single-Stage Site Plan prepared by Costich Engineering, dated June 28, 2023, and all other relevant information submitted as of August 22, 2023 (the current application); and

WHEREAS, according to the Town of Canandaigua Town Code “failure to comply with any condition or restriction imposed by the Planning Board in granting any site plan approval, special use permit, or subdivision approval shall constitute a violation. Such violation may constitute the basis for revocation of the approval or permit, or for imposing penalties and other applicable remedies against the property owner or other offending parties.”

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their _____ Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
ASA CANANDAIGUA NY SOLAR LLC
SINGLE-STAGE SITE PLAN & SPECIAL USE PERMIT FOR LARGE SCALE SOLAR
ENERGY SYSTEM (§220, §220-62.2, §220-34)
2890 COUNTY ROAD 10 – IND ZONING DISTRICT
CPN 23-059 – TM# 84.00-1-17.200

SINGLE STAGE SITE PLAN – CONTINUATION RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single-Stage Site Plan Approval and Special Use Permit Approval to construct a 3.25 MW Large Scale Solar Energy System in compliance with §220, §220-62.2, AND §220-34 in the Industrial (IND) zoning district located at 2890 County Road 10 and detailed on site plans dated July 19, 2023, prepared by Bergmann Architects, Engineers & Planners, and all other relevant information submitted as of August 22, 2023 (the current application); and

WHEREAS, according to the Town of Canandaigua Town Code “failure to comply with any condition or restriction imposed by the Planning Board in granting any site plan approval, special use permit, or subdivision approval shall constitute a violation. Such violation may constitute the basis for revocation of the approval or permit, or for imposing penalties and other applicable remedies against the property owner or other offending parties.”

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their _____ Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING ANN WALL
3318 FALLBROOK PARK – RLD ZONING DISTRICT
CPN 23-047 – TM# 98.11-1-9.000
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 deck, teardown-rebuild of a garage, 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 June 1, 2023, and all other relevant information submitted as of August 22, 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, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING ANN WALL
3318 FALLBROOK PARK – RLD ZONING DISTRICT
CPN 23-047 – TM# 98.11-1-9.000
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 deck, teardown-rebuild of a garage, 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 June 1, 2023, and all other relevant information submitted as of August 22, 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 variances at their August 15, 2023 meeting.

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. All variances as approved by the ZBA are to be detailed on the site plans.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING ANN WALL
3318 FALLBROOK PARK – RLD ZONING DISTRICT
CPN 23-047 – TM# 98.11-1-9.000
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
MARKS ENGINEERING REPRESENTING ANN WALL
3318 FALLBROOK PARK – RLD ZONING DISTRICT
CPN 23-047 – TM# 98.11-1-9.000
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 deck, teardown-rebuild of a garage, 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 June 1, 2023, and all other relevant information submitted as of August 22, 2023 (the current application).
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 variances at their August 15, 2023 meeting.
6. A Zoning Law Determination was prepared dated August 8, 2023:

DETERMINATION:

- Applicant shall obtain a building coverage variance of 10.5%.
- Applicant shall obtain a lot coverage variance of 6%.
- What is the height of the garage?
- Reconstructed garage front set back is to be the same as existing: 3.7' front setback; will need to meet NYS building code for construction of a building within 5 feet of a property line, will have to be constructed of non combustible material

REFERRAL TO PLANNING BOARD FOR:

- This application is required to obtain Planning Board Approval for Site Development.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to obtain Ontario County Planning Board Approval.

REFERRAL TO ZONING BOARD OF APPEALS:

- Applicant is required to obtain a building coverage variance of 10.5%, where 25% is permitted and 35.5% is proposed.
- Applicant is required to obtain a lot coverage variance of 6%, where 40% is permitted and 46% is proposed.

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

7. This application was referred to the following agencies for review and comment:
 - Town Code Enforcement Officer
 - Town Highway & Water Superintendent
 - Town Environmental Conservation Board
 - Ontario County Planning Board
 - MRB Group
 - Canandaigua Lake Watershed Council

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
MARKS ENGINEERING REPRESENTING ANN WALL
3318 FALLBROOK PARK – RLD ZONING DISTRICT
CPN 23-047 – TM# 98.11-1-9.000
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

- Canandaigua City Fire Department
8. No comments were received from the Town CEO.
 9. No comments were received from the Town Highway & Water Superintendent.
 10. The Town ECB provided comments at their July 6, 2023 meeting:

ECB Recommendations:

- The ECB recommends reducing the amount of impervious cover to get rid of the need for the lot coverage variance.
11. Comments were received from Ontario County Planning Board at their July 12, 2023 meeting:
Comments:
 1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
 2. The applicant and referring agency should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
 3. The applicant and referring agency are strongly encouraged to involve the Canandaigua Lake Watershed Inspector or the Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and placement of on-site septic.
 4. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
 12. No comments were received from Kevin Olvany, Canandaigua Lake Watershed Council.
 13. No comments were received from the Canandaigua City Fire Department.
 14. The Planning Board has considered all comments as part of their review of the application.
 15. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate to be provided prior to the issuance of building permits.
 16. The Planning Board thoroughly discussed the Shoreline Development Guidelines with the applicant.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GROVE ENGINEERING REPRESENTING JOHN VAN DER STRICHT
4527 DAVIDSON LANDING DRIVE – RLD ZONING DISTRICT
CPN 23-056 – TM# 126.20-1-12.000
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 teardown-rebuild of a single-family residence, and associated site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Grove Engineering, last revised July 18, 2023, and all other relevant information submitted as of August 22, 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, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GROVE ENGINEERING REPRESENTING JOHN VAN DER STRICHT
4527 DAVIDSON LANDING DRIVE – RLD ZONING DISTRICT
CPN 23-056 – TM# 126.20-1-12.000
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 teardown-rebuild of a single-family residence, and associated site improvements on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Grove Engineering, last revised July 18, 2023, and all other relevant information submitted as of August 22, 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. Prior to the issuance of a certificate of occupancy, an approval from the Canandaigua Lake County Sewer District regarding their review of the proposed sanitary sewer lateral, connection, and design is to be provided.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GROVE ENGINEERING REPRESENTING JOHN VAN DER STRICHT
4527 DAVIDSON LANDING DRIVE – RLD ZONING DISTRICT
CPN 23-056 – TM# 126.20-1-12.000
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
GROVE ENGINEERING REPRESENTING JOHN VAN DER STRICHT
4527 DAVIDSON LANDING DRIVE – RLD ZONING DISTRICT
CPN 23-056 – TM# 126.20-1-12.000
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board is considering Single-Stage Site Plan Approval for the teardown-rebuild of a single-family residence, and associated site improvements on an existing parcel within the RLD zoning district.
2. The project is detailed on the Single-Stage Site Plan prepared by Grove Engineering, last revised July 18, 2023, and all other relevant information submitted as of August 22, 2023 (the current application).
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 July 20, 2023:

DETERMINATION:


- Single family residence is a permitted use in the RLD.
- An existing non-conformity for lot coverage is being reduced by the building of the proposed structure. Currently at 48.8%, proposed to be 46.8% where 30% is maximum.

REFERRAL TO PLANNING BOARD FOR:

- All site plans in the RLD require Planning Board review and approval.

CODE SECTIONS: Chapter §1-17; §220-9; §220-21

6. This application was referred to the following agencies for review and comment:
 - Town Code Enforcement Officer
 - Town Highway & Water Superintendent
 - Town Environmental Conservation Board
 - Ontario County Planning Board
 - Ontario County DPW
 - Canandaigua Lake County Sewer District
 - MRB Group
 - Canandaigua Lake Watershed Council
 - Cheshire Fire Department
7. No comments were received from the Town CEO.
8. No comments were received from the Town Highway & Water Superintendent.
9. No comments were received from the Town ECB.
10. Comments were received from MRB Group in a letter dated August 17, 2023.
11. No comments were received from Ontario County DPW.

CANANDAIGUA TOWN CLERK
JUL 20 2023
RECEIVED 

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
GROVE ENGINEERING REPRESENTING JOHN VAN DER STRICHT
4527 DAVIDSON LANDING DRIVE – RLD ZONING DISTRICT
CPN 23-056 – TM# 126.20-1-12.000
SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

12. Comments were received from Ontario County Planning Board, OCSWCD, and CLCSD at the OCPB August 10, 2023 meeting:

Comments

1. The referring body should require applicant to recycle demolition debris if facilities exist and otherwise properly dispose of such debris.

OCSWCD Comments

1. Consider secondary layer of silt fence and/or reinforced silt fence due to proximity to Canandaigua Lake.
2. Consider treatment of stormwater such as infiltration basin or rain garden as opposed to just a splash pad downslope.
3. See NYS Design Manual for concrete truck washout design requirements
4. Detail not provided regarding site stabilization. Based on anticipated start date of September 2023 winter site stabilization requirements should be followed.

CLCSD Comment

1. A renovation permit will be required upon plan submittal and approval.

13. No comments were received from the Cheshire Fire Department.
14. The Planning Board has considered all comments as part of their review of the application.
15. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate to be provided prior to the issuance of building permits.
16. The Planning Board thoroughly discussed the Shoreline Development Guidelines with the applicant.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VANGUARD ENGINEERING, P.C. REPRESENTING DOUGLAS BENNETT
4955 ISLAND BEACH DRIVE – RLD ZONING DISTRICT
CPN 23-032 & 057 – TM# 98.09-1-14.000
SINGLE-STAGE SITE PLAN APPROVAL

SINGLE STAGE SITE PLAN – CONTINUATION RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering Single-Stage Site Plan Approval for the demolition of existing deck steps, and construction of a new deck extension, patio, firepit, retaining walls, and associated site improvements, on an existing parcel within the RLD zoning district, as shown on the Single-Stage Site Plan prepared by Vanguard Engineering, dated June 12, 2023, and all other relevant information submitted as of August 22, 2023 (the current application); and

WHEREAS, the Planning Board received an email from the applicant's representatives requesting the application be continued to provide time to address comments received; and

WHEREAS, according to the Town of Canandaigua Town Code "failure to comply with any condition or restriction imposed by the Planning Board in granting any site plan approval, special use permit, or subdivision approval shall constitute a violation. Such violation may constitute the basis for revocation of the approval or permit, or for imposing penalties and other applicable remedies against the property owner or other offending parties."

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their _____ Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, August 22, 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 August 22, 2023 meeting.

Karine Hatch, Secretary of the Board