

customers onto the specified site.

4. It is the position of this Board that the proposed signage is excessive.
5. Excessive signage has a negative impact on community character.

Final Recommendation – Denial

Comments

1. The referring board should grant the minimum variance necessary to allow identification of the business and its products.
2. What are the letter heights on the proposed sign? As outlined on this sign company website, 3” letters have high visibility at 30’ and are readable at 100’. Based on the information provided, it is estimated some letter heights are 25” which are readable at 1,000’ and the sign company characterizes as having high impact at 240’.
<https://www.signazon.com/help-center/sign-letter-height-visibility-chart.aspx>.

166 -2022 Town of Canandaigua Zoning Board of Appeals Class: 1
Type: *Area Variance*

Related Referrals: 164-2022 & 165-2022

Applicant: *Liberty Restaurant Group*

Property Owner: *Widewaters Roseland Center*

Representative: *Brett Steenburg*

Tax Map Parcel #: 98.00-1-46.10

Brief Description: *Site plan and 2 area variances for demolition of existing building and construction of a Popeye's restaurant with 2 lane drive thru at 3225 SR 364 in the Town of Canandaigua. Project requires a special use permit for fast food restaurant and area variances for 80' front setback when 100' is required and a sign variance for 3 building signs when 2 are allowed*

See information at 164-2022.

167 -2022 Town of Canandaigua Planning Board Class: 1
Type: *Site Plan*

Related Referrals: 168-2022

Applicant: *Marathon Engineering*

Property Owner: *James J. Volpe*

Representative: *Matt Tomlinson*

Tax Map Parcel #: 70.11-1-30.000

Brief Description: *Site plan and area variance for 48 apartments on 1.6 acres on Parkside Drive north of Trolley Station Apartments in the Town of Canandaigua. Area variance for average transparency of 25 percent when the code requires 50 percent on the ground floor and 40 percent on upper floors.*

<https://ontariocountyny.gov/DocumentCenter/View/35624/167-2022-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/35596/167-168-layout-plan>

<https://ontariocountyny.gov/DocumentCenter/View/35666/167-2022-2022-09-08-PB---22096-Landscape-Plan>

The proposed one and two-bedroom apartments will be located in a 4 story building with 13,500 SF footprint. The site will also accommodate 42 parking spaces, community space, and associated site improvements. The proposed

apartments require a variance from the Uptown- Mixed Use Subarea form based code requirements; the code requires 50 percent transparency on the ground floor and 40 percent on the upper floors while the proposal building provides 25 percent transparency.

The project also requires a variance from the build to zone. The form based code requires 75 percent of the building to be 5' to 20' from the ROW. Due to the curve of Parkside Drive and the existence of a 15' RGE easement consuming much of the allowable setback from the ROW, the variance is necessary to allow installation of the building footers adequately spaced from RGE facilities; 56 percent of the building will be within the required distance of the ROW.

According to OnCor, the site is not constrained by wetlands, floodplains, or steep slopes and is not in Ontario County Agricultural District #1. Nearly 90 percent of the site soils are Ovid silt loam with area of 0 to 3 and 3 to 8 percent slope. Ovid silt loam is characterized as highly erodible, somewhat poorly drained, partially hydric soil with moderately high permeability.

The site plan shows a 1,200 SF bioretention area, deciduous trees along the western property boundary; ornamental streets and shrubs around the Parkside Drive streetscape, building foundation, and adjacent green space; and screening vegetation along the southern property boundary by the parking area.

Comments

1. Is parking an allowable use in the pipeline easement?
2. Do the first floor units have direct entry doors? Will these units be ADA compliant? Will these units be visitable by those with mobility impairments by providing a step less entry and path from parking area and 36" entry and bathroom doorways?
3. Item 3 on the variance test narrative appears to be related to a different project and does not address whether requested variance in transparency requirements is substantial.
4. What on-site landscaping will be provided?

OCSWCD Comments

1. No stormwater volume calculations indicated. Confirm roadside swale and regional stormwater management facilities have capacity to manage increased volumes of stormwater.
2. Roof runoff location is not indicated; will this be connected to piped stormwater infrastructure?
3. Bioretention area is managing a small portion of water.

CLCSD Comments

1. Preliminary plans have been electronically submitted.
2. Discussions have begun among the developer, engineer and District staff.
3. District has concerns regarding hydraulic capacity of Parkside Drive sanitary sewer – developer has provided the County with apartment size breakdown and anticipated laundry facilities. Investigation currently underway exploring design and peak hourly flows as well as timing for required flow monitoring.

CRC Comments

1. In response to questions the applicant offered the following information:
 - a. Parking is an allowable use in the pipeline easement
 - b. All units are accessed off the internal corridor. As required by funder, NYS Housing & Community Renewal, 10 % of units are ADA compliant and all units could be converted to ADA compliant.
 - c. Parking demand ratios of .5 to .7 spaces per unit are typical for this type of development; the referring body is encouraging applicant to explore shared parking easements with Liberty Apartments to the west or Trolley Station Apartment to the south, and/or Candlewood apartments to the north across Parkside Drive, to address special events. The project will also incorporate bike parking by the Parkside and internal to site building entrances.
 - d. Stormwater quantity impacts will be mitigated by a regional stormwater management facility in Blue Heron Park approximately 1,000 feet to the west along Parkside Drive
 - e. NYS HCR requires balcony or walkout patio with privacy fence for each unit. There will also be an outdoor patio area by the building entrance near the parking area, and potentially playground equipment if the project of 1 and 2 bedroom units attracts families with young children.

Board Motion: To retain referrals 159-2022, 162-2022, 164-2022, 166-2022, 167-2022, 168-2022, 173-2022, 175-2022, 176-2022, 177-2022, 178-2022, 179-2022, 180-2022, and 184-2022 as class 1s and return them to the respective local boards with comments. **Motion made by:** Steve Groet **Seconded by:** Mike Woodruff **Vote:** 12 in favor, 0 opposed, 0 abstentions **Motion carried**

168 -2022 Town of Canandaigua Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Related Referrals: 167-2022

Applicant: *Marathon Engineering*

Property Owner: *James J. Volpe*

Representative: *Matt Tomlinson*

Tax Map Parcel #: 70.11-1-30.000

Brief Description: *Site plan and area variance for 48 apartments on 1.6 acres on Parkside Drive north of Trolley Station Apartments in the Town of Canandaigua. Area variance for average transparency of 25 percent when the code requires 50 percent on the ground floor and 40 percent on upper floors.*

See information at 167-2022.

169 -2022 Town of Canandaigua Planning Board Class: Exempt
 Type: *Site Plan*

Related Referrals: 170-2022

Applicant: *Meagher Engineering*

Property Owner: *Lisa Roberts & Larry Joslyn*

Tax Map Parcel #: 98.17-1-32.000

Brief Description: *Site plan and area variance for residence at 3611 CR 16 in the Town of Canandaigua*

170 -2022 Town of Canandaigua Zoning Board of Appeals Class: AR2
 Type: *Area Variance*

Related Referrals: 169-2022

Applicant: *Meagher Engineering*

Property Owner: *Lisa Roberts/Larry Joslyn*

Tax Map Parcel #: 98.17-1-32.000

Brief Description: *Site plan and area variance for residence at 3611 CR 16 in the Town of Canandaigua*

The applicant is proposing to demolish an existing home on a 0.076 acre site and construct a home that retains pre-existing non-conforming building coverage of 38.5 percent when 25 percent is allowed and lot coverage of 65.7 when 40 percent is allowed. The applicant proposes a 22.7' rear (lake) setback when 30' is required. Existing house porch encroaches into CR 16 ROW, proposed house will have 3.36' road setback which balances out building footprint location 2.2' closer to the Lake.

The application states no change to existing drainage patterns and shows the driveway in approximately the same location.