

# *Town of Canandaigua*

5440 Routes 5 & 20 West  
Canandaigua, NY 14424  
(585) 394-1120 \* Fax: (585) 394-9476  
[townofcanandaigua.org](http://townofcanandaigua.org)  
*Established 1789*

September 7, 2021

Chairman Chuck Oyler  
Planning Board, Town of Canandaigua

RE: Proposed Pierce Book subdivision

Dear Chairman Oyler:

On August 30, 2021 I had an opportunity to meet with Jeff Morrell of Morrell Builders along with Town Attorney Chris Nadler about the proposed Pierce Brook subdivision along SR21 South.

As you are aware, the Town of Canandaigua owns and operates Miller Park adjacent to the proposed Pierce Brook subdivision a passive recreational educational park consisting of 23 acres of natural surface trails, trees, grasslands, a gazebo, benches, and educational signage.

Many times I have had people say to me they appreciate the passive recreational opportunity that Miller Park provides for the community in the setting where it is located, rather than a fully developed active recreational park like playgrounds and other improvements located in other portions of the Town of Canandaigua.

The Town of Canandaigua adopted Parks and Recreation Master Plan (2018-2028) designates Miller Park to feature passive natural surface trails (mowed grass pathways – done by contract with the Town of Canandaigua), educational signage promoting the agriculture history of our community along with wildlife that is viewable in the area. While not in the park, an adjacent wetland offers opportunities to view many different types of wildlife when visiting the park. The signage includes typical birds viewed at Miller Park and has been designated a birding hot spot by the Eaton Bird Society.

It is my understanding the developer of the proposed Pierce Brook subdivision is offering an easement on natural surface trails in the conservation area of the proposed subdivision to provide additional public access opportunities. It is my understanding the Home Owners Association (HOA) would retain ownership of the open space conservation area (a designated separate parcel from the proposed homes) leaving it on the tax rolls with a conservation easement to the Town of Canandaigua.

It is further my understanding the developer is proposing to construct over a mile of natural surface trails on the property to be maintained (mowed) by the HOA giving the public access to

the additional trails and access to be close to the additional wetland on the parcel (sheet C7.0, Landscaping Plan, dated revised 8/20/21). I would respectfully request your conditions of approval consider a conservation easement that includes HOA maintenance of the natural surface pathways (mowed grass area) with some recourse for the Town of Canandaigua should the HOA not maintain the natural surface pathways, such as conservation easement maintenance agreement that would allow us to charge back the HOA should they not provide maintenance of the pathways.

We often get compliments regarding Miller Park and the ability for people to walk a "loop" around the park and circle back to their car after hiking the approximately  $\frac{3}{4}$  mile outer loop while still providing options of a shorter loop and a hike back and forth to the wetlands.

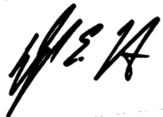
As the Planning Board discusses the proposed project with the developer, please consider opportunities to "loop" the trail back to the parking area proposed along SR21 (possibly to the north on the parcel) allowing people the opportunity to walk a "loop" around the new conservation area and back to their parked car or back to Miller Park.

Please also note the developer is offering, and I would encourage the Planning Board to consider implementation of the park and recreation fee in lieu of set aside since the Town of Canandaigua Park system is expanding with the construction of new projects like Motion Junction and improvements at Pirate Ship Park at Richard P. Outhouse Memorial Park. We are seeing increased demand for services of our park system with new 2020 census information indicating 55.3% of the Town of Canandaigua residents age 17 & under living north of State Route 5&20. Our main parks north of SR5&20 include Richard P. Outhouse Memorial Park, Blue Heron Park, and Old Brookside Park. The contribution to the Parks and Recreation Fund could be used to continue our master plan upgrades planned for these parks.

Finally, it is my understanding the developer is offering and it is my understanding our normal procedures would include a storm water management facility agreement to be in place with easements to the Town of Canandaigua requiring the HOA provide maintenance of the storm water management areas rather than the Town having to establish a separate taxing jurisdiction for a drainage district for management of these areas.

As always, if I can ever be of any assistance to you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'D.E. Finch', written in a cursive style.

Douglas E. Finch, Town Manager  
Town of Canandaigua