

# Town of Canandaigua

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

## Planning Board Decision Notification

**Meeting Date: February 9, 2016**

**Project: CPN-095-15 and CPN-096-15**

| <u>Applicant</u>  | <u>Owner</u>   | <u>Project Type</u>                | <u>Project Location</u> | <u>Tax Map #</u> |
|---|--|------------------------------------|-------------------------|------------------|
| William M. Price, RLA<br>Fisher Associates<br>135 Calkins Road,<br>Suite A<br>Rochester, NY 14623 | Daniel R. and<br>Konstanze Wegman<br>4895 County Road 16<br>Canandaigua, NY<br>14424 | One-stage Site Plan<br>Application | 4895 County Road<br>16  | 140.18-1-10.100  |

### TYPE OF APPLICATION:

- ☐ Preliminary    ☐ Final    ☒ One/Single Stage  
☐ Subdivision    ☒ Site Plan    ☐ Special Use Permit

### STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

- ☐ Type I    ☒ Type II    ☐ Unlisted  
☒ See Attached resolution(s)

### Applicant Request:

- ☒ Granted    ☐ Denied    ☐ Tabled  
☐ Continued to:  
☒ See attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO  
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE  
ON THE FINAL PLAN BY: 4/11/16  
YOU ARE RESPONSIBLE FOR REQUESTING AN  
EXTENSION PRIOR TO THIS EXPIRATION DATE IF  
THIS REQUIREMENT CANNOT BE MET.

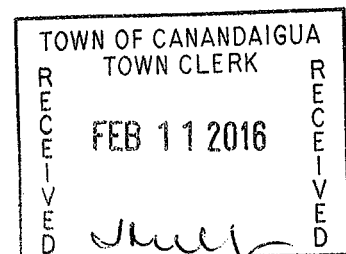
### Recommendation To:

- ☐ Town Board    ☐ ZBA    ☐ N/A    ☐ See attached resolution(s)  
Recommendation:

### Surety Requirements:

- ☐ Landscaping: \$    ☐ Soil Erosion: \$  
☐ Other (specify): \$

### Surety Release:



Certified By: [Signature]  
Chairperson, Planning Board

Date: 2-10-16

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
FISHER ASSOCIATES FOR DANIEL AND KONSTANZE WEGMAN  
4895 COUNTY ROAD 16 – RLD ZONING DISTRICT  
CPN 095-15 AND 096-15 TM# 140.18-1-10.100  
ONE STAGE SITE PLAN APPROVAL - SEQR RESOLUTION TYPE II ACTION

**WHEREAS**, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a One Stage Site Plan approval for the relocation of the existing on-site wastewater system leach field and for the construction of terrace and swimming pool measuring 50' in length by 17' in width including a 75' lap lane located at 4895 County Road 16 within the RLD Zoning District and detailed on site plans dated October 16, 2015, last revised January 29, 2016 and all other relevant information submitted as of February 9, 2016 (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 Thomas Schwartz and seconded by Karen Blazey at a meeting of the Planning Board held on Tuesday, February 9, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry - Absent  
Charles Oyler - *Aye*  
Karen Blazey - *Aye*  
Ryan Staychock - *Aye*  
Thomas Schwartz - *Aye*

I, John Robortella, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the February 9, 2016 meeting.

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

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**WHEREAS**, the Planning Board completed a formal review of the proposed development in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQRA), 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**, this application was forwarded to Ontario County Planning Board and a recommendation of denial was provided; 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 above 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 soil stabilization and erosion control surety estimate is to be prepared by the applicant and provided to the Town Development Office for review and accepted by the Town Board prior to the issuance of building permits.
3. The comments within the Town Engineer's letter dated February 4, 2016 are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
4. The Lot Line Adjustment Plan creating the new lot for the proposed septic system leach field area on the north side of County Road 16 is to be reviewed and approved by the Town of Canandaigua Development Office and signed by the Planning Board Chairman prior to signatures being affixed to the Final Site Plans.
5. An approval from Canandaigua Watershed and NYSDOH regarding their review of the of the proposed septic system and leach field improvements is to be provided to the Town of

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ONE STAGE SITE PLAN APPROVAL


Canandaigua Development Office prior to the Planning Board Chairman signature being affixed to the site plans.

6. The title of the site plans is to be revised to state "FINAL" Site Plan instead of preliminary.
7. This approval is for the swimming pool and surrounding patio ONLY. All references to garage construction shall be removed from the final site plans.
8. The applicant shall submit a revised landscaping plan depicting a natural buffer area on both sides of the stream. The revised landscaping plan shall show the removal of all turf within the drip line of the tree canopy along the stream on the existing lot.

The above resolution was offered by Karen Blazey and seconded by Ryan Staychock at a meeting of the Planning Board held on Tuesday, February 9, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry - Absent  
Charles Oyler - *Aye*  
Karen Blazey - *Aye*  
Ryan Staychock - *Aye*  
Thomas Schwartz - *Aye*

I, John Robortella, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the February 9, 2016 meeting.

 L. S.  
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS  
FISHER ASSOCIATES FOR DANIEL AND KONSTANZE WEGMAN  
4895 COUNTY ROAD 16 – RLD ZONING DISTRICT  
CPN 095-15 AND 096-15 TM# 140.18-1-10.100  
ONE STAGE SITE PLAN APPROVAL

1. The Town of Canandaigua Planning Board received an application for One Stage Site Plan Approval for the relocation of the existing on-site wastewater system leach field and for the construction of terrace and a swimming pool measuring 50' in length by 17' in width including a 75' lap lane.
2. The project is located at 4895 County Road 16 within the RLD Zoning District and detailed on site plans dated October 16, 2015, last revised January 29, 2016 and all other relevant information submitted as of February 9, 2016.
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. This application was referred to the following agencies for review and comment:
  - George Barden, Watershed Inspector
  - Kevin Olvany, Canandaigua Lake Watershed Council
  - John Berry, Canandaigua Lake County Sewer District
  - William Wright, Ontario County DPW
  - Town Environmental Conservation Board
  - James Fletcher, Town Highway Superintendent
  - Town Engineer, MRB Group
  - Ontario County Planning Board
  - Michael Miller, Chief Cheshire Fire Department
  - Sheryl Robbins, P.E., NYS Department of Health
6. A referral to the Ontario County Planning Board (OCPB) was completed and reviewed at the December meeting.
7. Ontario County Planning issued comments and findings for referrals #175-2015 and #175.1-2015 and classified as Class 2 and returned with a recommendation of **disapproval**.
8. Comments were received from the Environmental Conservation Board and forwarded to the Planning Board for consideration.
9. Comments dated February 4, 2016 were received from the Town Engineer.
10. Comments were received from the Canandaigua Lake Watershed Council in an email dated November 17, 2015.
11. The Fire Department issued an email dated November 2, 2015 stating that they had no issues with the proposed project.

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12. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
13. An area variance is required for a setback from a stream to a structure where 100' is required, 41.60' is proposed (garage).
14. The ZBA granted approval of the area variance at their December 15, 2015 meeting.
15. This application proposes a Lot Line Adjustment transferring 0.81 acres from an existing 48.2 acre parcel identified as TMP #140.00-1-16.100 to an existing 4.9 acre parcel creating a new 5.71 acre lot for the proposed septic system leach field area on the north side of County Road 16.
16. An approval from Canandaigua Watershed and NYSDOH regarding their review of the of the proposed septic system and leach field improvements is required.
17. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate.
18. The Planning Board discussed the Shoreline Development Guidelines and determined that the final site plans are in compliance with these requirements.
19. The applicant has removed the proposed garage expansion / development from the site plans as per email dated February 8, 2016 from the applicant's representative Michael Rossetti of Fisher Associates.