

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

PLANNING BOARD

Established February 20, 1962

Tuesday, April 25, 2023 • 6:00 p.m.

MINUTES—DRAFT #1—SUBJECT TO CHANGE

The following minutes are the official and permanent record of the actions taken by the Town of Canandaigua Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is retained for three months.

The meeting was conducted at the Canandaigua Town Hall and via remote video conference.

***R** = Attended via remote video conference.*

Meeting called by: Charles Oyler, *Chairperson*

Board members present: Robert Lacourse
Scott Neal—**R**
Mark Tolbert
Amanda VanLaeken

Alternate present: Tim Schneider

Staff present: Lance S. Brabant, CPESC, MRB Group, D.P.C.
Kimberly Burkard, Remote Access Facilitator
Christian Nadler, Esq., Planning Board Attorney

Attending:

Joseph and Aline Clement, 1105 Magnolia Bend, Farmington, N.Y. 14425
Gerald and Jessie Craker, 6265 Grimble Road, Canandaigua, N.Y. 14424
Joe and Aline Clement, 1105 Magnolia Bend, Farmington, N.Y. 14425
William J. Grove, P.E., Grove Engineering, 8677 State Route 53, Naples, N.Y. 14512
Jonathan Jones, Marks Engineering, 4303 State Route 5&20, Canandaigua, N.Y. 14424—
Mark Laese, 3516 Sandy Beach Drive, Canandaigua, N.Y. 14424
Angelo Licciardello
Salvatore Licciardello, 2004 Pebbleview Drive, Victor, N.Y. 14424
Brennan Marks, P.E., Marks Engineering, 4303 State Route 5&20, Canandaigua, N.Y. 14424
Michael and Joanne Newbauer—**R**

Charlie Oster, Partner and Vice President of Real Estate Development, Edgemere Development Inc., 277 Alexander Street, Suite 400, Rochester, N.Y. 14607—**R**
Joseph Paris, Sutter Creek LLC, 808 South Main Street, Canandaigua, N.Y. 14424
Logan Rockcastle, Marks Engineering, 4303 State Route 5&20, Canandaigua, N.Y. 14424
Rocco Venezia, Venezia & Associates, 5120 Laura Lane, Canandaigua, N.Y. 14424—**R**
Tom and Barbara Wood, 4174 County Road 16, Canandaigua, N.Y. 14424

MEETING OPENING:

Recite the USA Pledge of Allegiance
Introduction of board members and staff
Meeting protocol
Overview of emergency evacuation procedures
Privilege of the Floor: *None*

Attest to the Publication of Legal Notice: Canandaigua *Daily Messenger*, April 23, 2023:

Gerald and Jessie Craker, owners of property at 6265 Grimble Road
Single-Stage Subdivision
TM #96.00-1-1.100

Mr. Oyler welcomed Tim Schneider to the Planning Board. Mr. Schneider was recently appointed to the Planning Board Alternate position by the Canandaigua Town Board. Mr. Schneider took his place upon the Planning Board.

4. NEW SINGLE-STAGE SITE PLAN

CPN-22-086 **Marks Engineering, 4303 Routes 5&20, Canandaigua, N.Y. 14424; representing Mark Laese, owner of property at 3516 Sandy Beach Drive.**
TM #98.15-1-43.100

Requesting a Single-Stage Site Plan approval for the removal of an existing garage and construction of a new 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 November 29, 2022, received by the Town Development Office on December 16, 2022, and all other relevant information submitted as of April 25, 2023 (the current application).

On April 21, 2020, the Zoning Board of Appeals approved area variances for a previous Single-Stage Site Plan application (CPN-20-014) as follows: 3.94-foot right-side setback, a 3.68-foot left-side setback, a 4.62-foot rear (lakeside) setback, and a new deck to have a 3.94-foot right-side setback.

On April 29, 2020, the Planning Board approved a Single-Stage Site Plan for the construction of a new patio, deck and sidewalks for the existing single-family dwelling (*see* Planning Board minutes, April 29, 2020).

The Planning Review Committee (PRC) reviewed the current application on November 14, 2022; and December 12, 2022.

The PRC referred this application to the following Town offices and agencies:

Chris Jensen, Town Code Enforcement Officer
Town Environmental Conservation Board
MRB Group D.P.C.
Canandaigua City Fire Department

Mr. Rockcastle (Marks Engineering) and Mr. Laese presented this application. Mr. Oyler said that the applicant has been successful in receiving area variances for building and lot coverages from the Zoning Board of Appeals.

Mr. Rockcastle said that the applicant plans to tear down the existing garage and replace it with a garage which will be constructed above the flood plain. He said that the new garage will be in better compliance [with the Town Code] than the existing garage and that the new garage will be used for storage and as a hobby shop for the applicant.

Mr. Rockcastle said that the grading will be off the garage since it will be above the existing grade. He said that the front of the garage will be grass and will not be asphalt because this will be a low traffic area.

Mr. Laese said that his home has no basement and that storage is needed for their vehicles, for outdoor furniture and seasonal items, and as a workshop because this is their residence.

He said that they decided to construct a new garage instead of putting an addition on the existing structure.

Mr. Lacourse said that he has made two site visits to the property, that the property to the south is higher [than the applicant's property] and that the property to the north is at or below the flood plain. He expressed concern that water from the applicant's property may flow down to the property to the north. He asked how the applicant will mitigate this.

Mr. Rockcastle said that this may be standing water and right now there are no mitigation plans. He said that drainage will be handled by the typical splash blocks and gutters.

Mr. Nadler said that the water [to which Mr. Lacourse referred] may not be coming from properties on Sandy Beach Drive. Mr. Lacourse said that there is a hill from which the water may be coming. Mr. Nadler said that the structure is not creating the drainage. Mr. Rockcastle said that they will divert the water from flowing to the north and that this project will not increase the overall stormwater.

Mr. Brabant said that there may be an increase in stormwater because the new garage will be larger than the existing garage. Mr. Rockcastle said that they have room for the mitigation of stormwater which will come off the garage and that he will propose infiltration which will take care of all the excess stormwater above the existing stormwater.

Mr. Lacourse said that something must be done [about the drainage] because the property is wet.

Mr. Brabant referred to a previous MRB Group engineering comment regarding roof drainage. Mr. Rockcastle said that they have revised the roof drainage since then. Mr. Brabant said that the applicant must propose drainage mitigation to avoid adding drainage to the neighboring property. Mr. Nadler said that the applicant is obligated to do so because he is increasing lot and building coverage, and because the Town Environmental Conservation Board also express concern about this. He said that all these factors lead the board to consider that some type of stormwater mitigation is necessary. Mr. Rockcastle said that they will consider either an infiltration trench or another form of mitigation.

Mr. Lacourse asked about a vehicle parking area. Mr. Laese reviewed the parking area on the site plan which was displayed on the video screen. Mr. Rockcastle said that the parking area will be located on an existing pad near the garage.

Mr. Oyler said that the Shoreline Development Guidelines do not apply to this application because the new garage is barely visible from the lake.

Mr. Lacourse asked if any trees will have to be removed. Mr. Tolbert said that a crew recently came through the area and removed some trees.

Mr. Oyler said that the fire department had no comments on this application.

Mr. Brabant said that MRB Group did not receive a revised plan and that as a result the applicant did not yet receive a revised engineering comment letter. He said that the previous engineering comment letter was issued in January and that MRB Group most certainly will issue a revised letter.

Mr. Oyler said that there could be a further revision of the plan due to the requested stormwater mitigation which the board is discussing this evening.

Mr. Oyler asked if the board would be comfortable this evening to approve the site plan with a condition of stormwater mitigation, or if the board would like to see the mitigation plan prior to approval of the site plan. Mr. Lacourse said that he would like to see the

mitigation on the plan as part of the record. Mr. Nadler said that the Town wants to see zero increase in runoff. Mr. Lacourse said that the record should indicate that the new garage will be outside the delineation of the blueline stream.

Mr. Oyler said that the board is willing to rely on the Town Engineer [to approve the stormwater mitigation plans] and that the plan is to be shown on the drawing.

Mr. Tolbert asked about comments from the Town Environmental Conservation Board regarding a landscaping plan and a comment on the 2020 site plan from Code Enforcement Officer Chris Jensen. He asked if these have been resolved. Mr. Rockcastle said that he was not aware of these comments. Mr. Brabant said that the Code Enforcement Officer's comment referred to a violation regarding the driveway in 2020.

Mr. Oyler read aloud a portion of the Planning Board minutes of April 29, 2020, regarding the drainage and landscaping on the site. He said that he wants to make sure that the obligations of the original application when the house was built have been met and that the board can discuss additional landscaping for the new garage.

Mr. Lacourse said that the plans indicate a stone driveway and that Mr. Rockcastle said earlier this evening that this area would remain grass. Mr. Laese said that this area is partially stone and then transitions to grass. He said that they are not establishing a new driveway and that they will remove some of the old driveway. Mr. Laese said that there is enough room for vehicles to be off the road.

Mr. Oyler asked if an architectural elevation rendering of the new garage is available. Mr. Rockcastle said that an elevation is not yet available. He said that the garage will mimic the architectural features of the home and will have a gambrel roof and similar siding

There were no additional comments or questions on this application this evening.

■ A motion was made by MR. TOLBERT, seconded by MR. LACOURSE, 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; that Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and 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.

Motion carried by voice vote.

■ A motion was made by MR. TOLBERT, seconded by MR. LACOURSE, that the application of Marks Engineering, representing Mark Laese, owner of property at 3516 Sandy Beach Drive, requesting a Single-Stage Site Plan approval for the removal of the existing garage and construction of a new 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 November 29, 2022, received by the Town Development

Office on December 16, 2022, and all other relevant information submitted as of April 25, 2023 (the current application), be approved with conditions.

Mr. Brabant then reviewed the conditions of approval.

The following amendments were offered:

New Condition #6:	The site plans are to be revised to provide stormwater mitigation for the proposed improvements and new garage. These mitigation measures are to be shown on revised plans prior to signatures being affixed to the plans.
-------------------	--

New Condition #7:	All approved variances as granted by the Town of Canandaigua Zoning Board of Appeals are to be detailed on the plans.
-------------------	---

Mr. Brabant also said that MRB Group will issue a revised engineering comment letter. He said that most of his previous issues have been addressed and that the revised letter will discuss the remaining issue of stormwater management.

Mr. Oyler also requested that the variances be included [in the revised engineering letter]. Motion to approve the resolution as amended carried by voice vote.