

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: HML PROPERTIES, LLC
PROPERTY ADDRESS: 5131 SILVERNAIL DRIVE
TAX MAP NUMBER: 112.02-4-25.152
ZONING DISTRICT: SCR-1

DETERMINATION REFERENCE:

- Application for One Stage Site Plan, dated 05/24/2019. Received for review by Town on 05/10/2019.
- Application for Soil Erosion and Sediment Control Permit, dated 05/10/2019. Received for review by Town on 05/10/2019.
- Plans titled "Site Plan" by Venezia Land Surveyors and Civil Engineers, dated 05/07/2019, no revisions noted, received by the town on 05/10/2019.

PROJECT DESCRIPTION:

- Applicant proposes to construct a new, single-family dwelling on a currently vacant parcel.

DETERMINATION:

- Applicant SHALL submit application for New Structure Permit.
- Proposed development is of sufficient area and dimension to meet minimum requirements for zoning and building purposes within the SCR-1 zoning district.
- Proposed development disturbs 46,667 sq. ft. of steep slope area and SHALL comply with the Town of Canandaigua Steep Slopes Law, including:
 - o The finished slope of all cuts or fills for any site work in areas where only vegetation is proposed to prevent erosion shall not exceed a slope of one vertical to two horizontal (50% grade or 26.5° of angle) without a retaining wall, stacked rock rip rap, or other similar structural stabilization.
 - o Any new or existing retaining wall higher than three feet above finished elevation incorporated into the proposed project design requires the evaluation of a New York professional engineer as to its structural integrity and written direction and certification as to its use.
 - o Any development proposed in a steep slope protection area shall be designed to work with the natural elements of the site, locating the proposed improvements in such a manner as to minimize land disturbance, cut and fill operations, tree removal, and alterations to natural drainage. The applicant must provide the Development Office with documentation that improvements were designed to fit the existing natural elements of the site, rather than making the site fit the development goals of the landowner as part of the site plan review process.
 - o 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 slope protection area disturbance per parcel, plus land necessary for driveway access, on-site wastewater treatment system, and stormwater management facilities.
 - o All development projects that disturb greater than 10,000 square feet of steep slope protection areas in Zones A and B, and 20,000 square feet of steep slope protection areas in Zone C shall be required to provide for water quality treatment up to the one-year storm event.
 - o Rolled erosion control products shall be used to temporarily stabilize slopes that are equal to or greater than 1:3.

- The Planning Board may approve modifications to these standards if the applicant can prove that such modifications would result in less total site disturbance and/or less change to the natural grade than would compliance with these standards and that such modifications meet the intent of this chapter to the greatest extent possible.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board as it relates to a site plan for a single-family residential lot. Exception #09.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval required for development of a new single-family dwelling on an undeveloped or vacant parcel.
- Planning Board Site Plan approval required for land disturbance of 2,000 square feet or greater within a steep slope protection area.

CODE SECTIONS: Chapter §1-17; §220-64, §220-18; §220-8; §220-9; §165; §220a Sch. 1 Zoning Schedule

DATE: 6/12/2019

BY: Kyle Ritts
Kyle Ritts – Zoning Inspector

CPN- 19-040

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder
Property File
Property Owner
Town Clerk