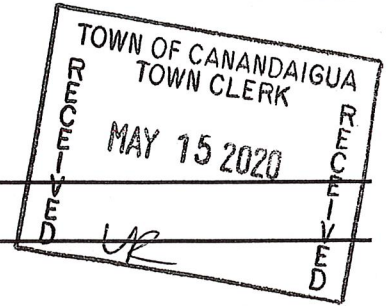


Town of Canandaigua

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



Planning Board Decision Notification

Meeting Date: May 12, 2020

Project: CPN-19-040

Applicant

Venezia Land Surveyors
and Civil Engineers
5120 Laura Lane
Canandaigua, NY 14424

Owners

HML Properties LLC
6404 Winding Creek
Way
Victor, NY 14564

Project Type

Amended Single-Stage
Site Plan

Project Location

5131 Silvernail
Drive

Tax Map #

112.02-4-25.152

TYPE OF APPLICATION:

- ☐ Preliminary ☐ Final Phased ☒ One/Single Stage
☐ Subdivision ☒ Amended Site Plan

Applicant Request:

- ☒ Granted ☐ Denied ☐ Tabled

☐ Continued to:

☐ See attached resolution(s)

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

- ☐ Type I ☐ Type II ☐ Unlisted

☐ See Attached resolution(s):

Negative Declaration Date:

Positive Declaration Date:

Recommendation To:

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

Recommendation:

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE
ON THE FINAL PLAN BY: 11-8-2020
YOU ARE RESPONSIBLE FOR REQUESTING AN
EXTENSION PRIOR TO THIS EXPIRATION DATE IF
THIS REQUIREMENT CANNOT BE MET.

Surety Requirements:

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

Surety Release:

Certified By:


Chairperson, Planning Board

Date:

5/13/20

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING HML PROPERTIES, LLC
5131 SILVERNAIL DRIVE – SCR-1 ZONING DISTRICT
CPN 040-19 TM# 112.02-4-25.152
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

AMENDED SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering an Amended Single-Stage Site Plan approval for the construction of a new single-family dwelling, attached garage, and barn with associated improvements as previously approved, with the only change being in area of disturbance which has increased from 2.0 acres to 4 +/- acres located at 5131 Silvernail Drive within the SCR-1 zoning district and detailed on site plans titled “HML Properties, LLC” prepared by Venezia Land Surveyors and Civil Engineers dated May 7, 2019, last revised February 7, 2020 and all other relevant information submitted as of April 29, 2020 (the current application); and

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 as part of the original application review 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

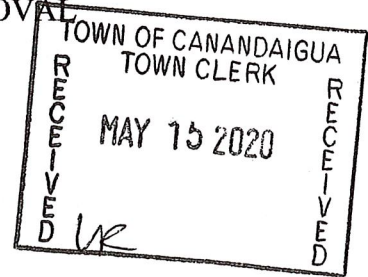
WHEREAS, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office; and

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 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. All comments from the Town Highway & Water Superintendent’s review letter are to be addressed to the satisfaction of the Town Highway & Water Superintendent prior to signing by the Planning Board Chairman. ✓
3. Prior to the issuance of a C/O an approval from the Canandaigua Lake Watershed Inspector regarding their review of the on-site wastewater treatment system design is to be provided to the Town of Canandaigua Town Development Office.
4. 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 processing in accordance with Local Law 19 of 2017 Amending Chapter 174, Section 174-32(F). 6
5. The site plans are to be revised to incorporate the modified Ted Collins Landscape Plan and landscape schedule as submitted by the applicant on May 12, 2020. ✓

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING HML PROPERTIES, LLC
5131 SILVERNAIL DRIVE – SCR-1 ZONING DISTRICT
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AMENDED SITE PLAN APPROVAL RESOLUTION



The above resolution was offered by Bob Lacourse and seconded by Karen Blazey at a meeting of the Planning Board held on Tuesday, May 12, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -	<i>AYE</i>
Charles Oyler -	<i>AYE</i>
Ryan Staychock -	<i>AYE</i>
Karen Blazey -	<i>AYE</i>
Bob Lacourse -	<i>AYE</i>

(ALT) Amanda VanLaeken -

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 May 12, 2020 meeting.

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

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING HML PROPERTIES, LLC
5131 SILVERNAIL DRIVE – SCR-1 ZONING DISTRICT
CPN 040-19 TM# 112.02-4-25.152
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board has received an application for Amended Single-Stage Site Plan approval for the construction of a new single-family dwelling, attached garage, and barn with associated improvements as previously approved, with the only change being in area of disturbance which has increased from 2.0 acres to 4 +/- acres located at 5131 Silvernail Drive within the SCR-1 zoning district.
2. Detailed on site plans titled “HML Properties, LLC” prepared by Venezia Land Surveyors and Civil Engineers dated May 7, 2019, last revised February 7, 2020 and all other relevant information submitted as of May 12, 2020.
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. The previous application was forwarded to the following outside agencies for review:
 - George Barden, Canandaigua Lake Watershed Inspector
 - Town Environmental Conservation Board
 - Town Agricultural Advisory Committee
 - Town Highway & Water Superintendent
 - MRB Group, Town Engineer
 - Mike Northrup, Chief Cheshire Fire Department
 - Kevin Olvany, Canandaigua Lake Watershed Council
6. A Zoning Determination was prepared dated June 12, 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.

**TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING HML PROPERTIES, LLC
5131 SILVERNAIL DRIVE – SCR-1 ZONING DISTRICT
CPN 040-19 TM# 112.02-4-25.152
AMENDED SINGLE-STAGE SITE PLAN APPROVAL**

FINDINGS

- 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

7. The Town Highway & Water Superintendent provided a comment letter.
8. The Town Agricultural Advisory Board reviewed this application and responded in a letter dated June 6, 2019 without comments for or against the project.
9. The applicant submitted revised information dated May 12, 2020 from Ted Collins a Landscape Architect.

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FINDINGS

10. The Planning Board has reviewed these comments and has considered them as part of their review of the application.