

# Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

*Established 1789*

## Annual Special Use Permit Inspection Worksheet

**Property Owner:** Margaret Covington and Patricia English

**Property Address / Tax Map #:** 3770 State Route 21, TM# 112.01-1-6.100

**Type of Special Use Permit:** Tourist Home (Bed & Breakfast)

**Original Approval Date:** November 28, 2006

**Date of Last Planning Board Approval:** November 25, 2008

The property is in compliance with the following conditions of approval granting this Special Use Permit:

November 28, 2006, Planning Board Decision Sheet Granting Special Use Permit:		
➤ The Town Planning Board waives the requirement for a professionally prepared site plan.	YES	NO
➤ All site lighting shall comply with the Town's Lighting Regulations contained in Chapter 105 of the Town Code within 90 days of this approval.	YES	NO
➤ The Planning Board chairperson's signature must be affixed to the final site plan prior to the issuance of any building permits.	YES	NO
➤ The applicant has 90 days to submit final plans to the Planning and Zoning Department for signature by the Planning Board Chairperson.	YES	NO
➤ The Special Use Permit is valid for a period of 2 years and must be renewed on or before 11/28/08.	YES	NO
➤ The Special Use Permit is granted only to the applicant(s) and shall be made null and void upon transfer of ownership of the property.	YES	NO
➤ The applicant is to submit a statement of operation for the file prior to the signing the final site plan and issuing of any permits.	YES	NO
➤ The applicants are to install a back-up generator prior to operation of the bed and breakfast.	YES	NO

*still operational  
tested every  
Wednesday*

*all lighting  
is same as  
2010*

Attch. (Planning Board SUP decision sheets)

November 25, 2008, Planning Board Decision Sheet Granting Special Use Permit Renewal:			
➤ The application has been determined to be consistent with the provisions of chapter 105 Article VI Section 601 and Section 628 of the town code.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
➤ The Special Use Permit is for a tourist home and is valid for a period of two years and must be renewed on or before November 25, 2010 or prior to any changes in either use or site plan components.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
➤ The Special Use Permit was approved by the Planning Board based on the site plan signed and approved on December 28, 2006.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
➤ The Special Use Permit is granted only to the current property owner and shall be made null and void upon transfer of ownership of the property.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
November 23, 2010, Planning Board Decision Sheet Granting Special Use Permit:			
➤ All past conditions of approval shall remain in effect	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
➤ Since there have been no changes since the last approval, the Planning Board agrees to the applicants' request for a waiver from the requirement for a professionally prepared site plan.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

Other comments noted during site inspection: Chapter 105 is now known as

Chapter 220  
Jean Wisman to double ck PB condition re  
bi-annual renewal

Jean Wisman 6/2/2011  
 Enforcement Officer's Signature / Date

Patricia Engle 6/2/2011  
 Property Owner's Signature / Date

\* see approved 11/23/10  
 Phy Board meeting Minutes  
 - sup runs w/ the land -  
 property owners not required to  
 renew sup every 2 yrs unless  
 there are proposed changes (ie increase in  
 number of bedrooms) or operation classes  
 for more than 12 months.

# Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1789

May 24, 2011

Ms. Margaret Covington  
Ms. Patricia English  
3770 NYS Route 21  
Canandaigua, New York 14424

RE: Annual Site Inspection

Dear Ms. Covington and English:

On May 5, 2011, I sent you a letter requesting an opportunity to inspect your property to determine continued compliance with the Town Planning Board resolutions approving your special use permit to operate a Tourist Home (Bed and Breakfast). As stated in this previous letter, Chapter 220 Section 220-35-H requires the Zoning Officer or the Code Enforcement Officer to conduct an annual inspection of all special use permits that have been granted by the Town's Planning Board. The purpose of this inspection is to "insure that the Special Use Permit is being operated in accordance with the conditions specified by the Town Planning Board." Enclosed is a copy of the draft inspection worksheet that I will be using during my inspection visit to your property.

I would like to schedule this inspection the week of May 30, 2011. I am available most anytime during this week except Monday, May 30. Please let me know which day and at what time is most convenient for you.

Sincerely,



Jean Chrisman  
Zoning Officer

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1789

May 24, 2011

Ms. Margaret Covington  
Ms. Patricia English  
3770 NYS Route 21  
Canandaigua, New York 14424

RE: Annual Site Inspection

Dear Ms. Covington and English:

On May 5, 2011, I sent you a letter requesting an opportunity to inspect your property to determine continued compliance with the Town Planning Board resolutions approving your special use permit to operate a Tourist Home (Bed and Breakfast). As stated in this previous letter, Chapter 220 Section 220-35-H requires the Zoning Officer or the Code Enforcement Officer to conduct an annual inspection of all special use permits that have been granted by the Town's Planning Board. The purpose of this inspection is to "insure that the Special Use Permit is being operated in accordance with the conditions specified by the Town Planning Board." Enclosed is a copy of the draft inspection worksheet that I will be using during my inspection visit to your property.

I would like to schedule this inspection the week of May 30, 2011. I am available most anytime during this week except Monday, May 30. Please let me know which day and at what time is most convenient for you.

Sincerely,



Jean Chrisman  
Zoning Officer

5/27/2011 Patty English Aft  
me a voice mail  
5/31/11 11:15am Jean Aft  
Patty & Margaret a voice mail  
to schedule visit. (cc)

Thurs June 2  
@ 3:00 pm

# *Town of Canandaigua*

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

*Established 1789*

May 5, 2011

Ms. Margaret Covington  
Ms. Patricia English  
3770 NYS Route 21  
Canandaigua, New York 14424

RE: Annual Site Inspection

Dear Ms. Covington and English:

Per Chapter 220 Section 220-35-H, I am required to do an annual inspection of all special use permits that have been granted by the Town's Planning Board. The purpose of this inspection is to "insure that the Special Use Permit is being operated in accordance with the conditions specified by the Town Planning Board." Enclosed is a copy of the draft inspection worksheet that I will be using during my inspection visit to your property.

I would like to schedule this inspection the week of May 9, 2011. I am available most anytime during this week except Friday morning. Please let me know which day and at what time is most convenient for you.

I hope all is going well for you.

Sincerely,

Jean Chrisman  
Zoning Officer

Enc.

1. All plan sheets and Ariel photo (received November 9, 2010) shall be re-labeled to note 7A as 7B and 7B as 7A as identified in the Engineers Report dated October 2010 and received October 13, 2010.
2. In order to act, the Planning Board also needs to receive and review responses from all interested and involved agencies and the Board Attorney.

R. Gentry seconded the motion. The motion was passed by a voice vote of four ayes.

**CONTINUED PUBLIC HEARINGS:**      *None at this time*

**NEW PUBLIC HEARINGS:**

**CPN 105-10    Margaret Covington and Patricia English, owners of property at 3770 State Route 21, TM#112.01-1-6.100, are requesting special use permit renewal for a tourist home in the AR-2 zoning district.**

Margaret Covington and Patricia English appeared for the renewal of their Special Use Permit (SUP). They operate the Chalet of Canandaigua Bed and Breakfast. They said there have been no changes since their original approval last year.

The Chair said the ZEO inspected the site and found no problems. There are no complaints on file. He explained to the applicants that the SUP runs with the land. They do not have to come back before the Planning Board unless they change the three rooms used for guests or cease operations for longer than 12 months. If they sell the property to someone using it in the same way and living in the home, the SUP continues.

T. Schwartz announced that this is a public hearing and asked if there is anyone present who wishes to speak for or against the application. When no one asked to speak, he closed the public hearing at 7:28 p.m.

J. Marthaller asked that the applicants' names be included in the resolution and that the Board needs to respond to the applicants' request for a waiver from a professionally prepared site plan.

R. Gentry then moved to approve the Special Use Permit renewal with the following conditions:

1. All past conditions of approval shall remain in effect.
2. Since there have been no changes since the last approval, the Planning Board agrees to the applicants' request for a waiver from the requirement for a professionally prepared site plan.

J. Marthaller seconded. The motion passed by a vote of four ayes.

**CPN 115-10    Amelia Morrissey, owner of property at 3145 Hopkins Road, TM#82.00-1-42.000, is requesting preliminary subdivision approval for a 3-lot subdivision in the AR-2 zoning district.**

The applicant, A. Morrissey, and her surveyor, Rocco Venezia, appeared for this application to subdivide 150 acres along both sides of Hopkins Road. The applicant said that the farm will continue to operate on a 70-acre lot with a house and barn. She will keep 26 acres. She also pointed out that there are 34 acres of Federal wetlands to be preserved. Lot 1 is not buildable.

The Chair noted that the 69 acre lot needs to be surveyed. There was a discussion about this since R. Venezia complained about the cost to his client for the survey. The Board members pointed out that Lot #3 is being created so the metes and bounds must be ascertained and put on the plans. J. Chrisman agreed that a legal description is needed.

T. Schwartz requested the sight distance for the driveway on Lot #2 be shown as well as the distance from the septic system to the property line. This must be at least 10 feet. R. Venezia agreed to add both items.

For the record, the Chair said that there is no recommendation from the County Planning Board.

The Board members discussed the open circles on the application. The ZEO asked them to note which non-applicable information they are waiving. J. Chrisman also asked about the necessity for a perk test. T. Schwartz pointed out that the applicant has said the property will continue to be farmland. The Board Attorney advised requiring a perk test when a building permit is requested. R. Venezia added that this is

# Town of Canandaigua

5440 Routes 5 & 20 West  
Phone (585) 394-1120

Canandaigua, NY 14424  
Fax (585) 394-9476

## Planning Board Decision Notification

**Meeting Date: 11/23/2010**

**Project: 105-10**

**Applicant**

Margaret Covington and  
Patricia English  
3770 State Route 21  
Canandaigua, NY 14424

**Owner**

Margaret Covington and  
Patricia English  
3770 State Route 21  
Canandaigua, NY 14424

**Project Type**

Special Use  
Permit  
Special Use  
Permit  
renewal - bed  
and breakfast

**Project Location**

3770 State Route 21

**Tax Map #**

112.01-1-6.100

**TYPE OF APPLICATION:**

- ☐ Preliminary      ☐ Final  
☐ Subdivision      ☐ Site Plan      X Special Use Permit  
☐ Sign: Bldg      ☐ Sign: Ground

Applicant Request:

- X Granted      ☐ Denied      ☐ Tabled

Continued to:

X See attached resolution

**SEQR:**

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

Negative Declaration Date:

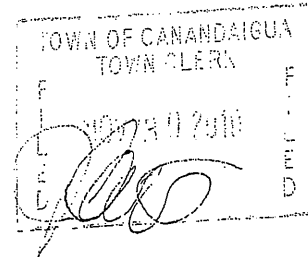
Positive Declaration Date:

**Recommendation To:**

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

**Surety Requirements:**

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



ified By:

Chairperson, Planning Board

Date: 11-30-10

**TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION**  
**RENEWAL OF A SPECIAL USE PERMIT FOR**  
**MARGARET COVINGTON AND PATRICIA ENGLISH**  
**CPN 105-10 - 3770 STATE RT 21 (TMP 112.01-1-6.100)**

**WHEREAS**, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a request for renewal of a special use permit to allow continuation of an existing tourist home at the above described location, and

**WHEREAS**, the action of renewing the permit to allow continuation and maintenance of the existing use is classified as a Type II action pursuant to NYCRR, Part 617.5, (c), 1 and as such is not subject to review under the New York State Environmental Quality Review Act, and

**WHEREAS**, the action has also been exempted, by intermunicipal agreement from County Planning Board referral requirements in NYS General Municipal Law, and

**WHEREAS**, there are no changes being requested to the original Special Use Permit first granted in 2006, and

**WHEREAS**, the Town Zoning Officer has verified through an onsite inspection that there have been no changes to the use since the last permit renewal in 2008 and that the special use is being conducted as originally approved and all conditions of approval are being adhered to, and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board hereby approves the applicants' request for renewal of the special use permit and

**BE IT FURTHER RESOLVED** that the previously imposed condition requiring re-approval every two years is hereby modified so that the approval shall run with the land and remain in effect for the current and future owners with no requirement for further renewal unless there are proposed changes (i.e. number of bedrooms) to the site / use.

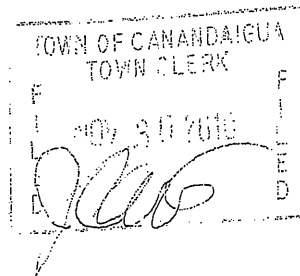
1. All past conditions of approval shall remain in effect.
2. Since there have been no changes since the last approval, the Planning Board agrees to the applicants' request for a waiver from the requirement for a professionally prepared site plan.

The above Resolution was offered by Richard Gentry and seconded by Joyce Marthaller at a regularly scheduled Planning Board Meeting held on November 23, 2010. Following discussion, a voice vote was recorded:

Thomas Crawford - excused  
Richard Gentry- aye  
Joyce Marthaller - aye  
Charles Oyler - aye  
Thomas Schwartz – aye

I, Leslie C. O'Malley, Secretary to 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 November 23, 2010 meeting.

Leslie C. O'Malley L. S.  
Leslie C. O'Malley, Ph.D.  
Secretary to the Board  
Town of Canandaigua Planning Board





# Town of Canandaigua

5440 Routes 5 & 20 West  
Phone (585) 394-1120

Canandaigua, New York 14424  
Fax (585) 394-9476

## Planning Board Decision Notification

Meeting Date: 11/25/2008

Project: 104-08.5

Applicant

Margaret Covington and  
Patricia English  
3770 State Route 21 S  
Canandaigua, NY 14424

Owner

Margaret Covington and  
Patricia English  
3770 State Route 21 S  
Canandaigua, NY 14424

Project Type

Special Use  
Permit  
Renewal  
(Bed &  
Breakfast)

Project Location

3770 State Route 21 S

Tax Map #

112.01-1-6.100

TYPE OF APPLICATION:

- ☐ Preliminary      ☐ Final  
☐ Subdivision      ☐ Site Plan      ☒ Special Use Permit  
☐ Sign: Bldg      ☐ Sign: Ground

SEQR:

- ☐ Type I      ☒ Type II      ☐ Unlisted

☒ See Attached resolution

Negative Declaration Date:

Positive Declaration Date:

Applicant Request:

- ☒ Granted      ☐ Denied      ☐ Tabled

☐ continued to:

☐ See attached resolution

Recommendation To:

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

Surety Requirements:

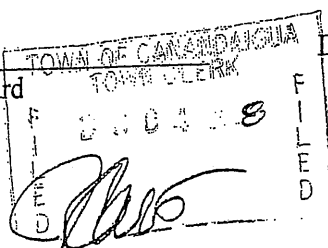
- ☐ Landscaping: \$      ☐ Soil Erosion: \$  
☐ Other (specify): \$

ified By:

Chairperson, Planning Board

Date:

12/3/08



**TOWN OF CANANDAIGUA PLANNING BOARD  
ACTION RESOLUTION – SPECIAL USE PERMIT**

**CPN-104- 08**

**APPLICANTS: Margaret Covington and Patricia English**

**WHEREAS**, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) has considered the above referenced Application and has made a Determination of Significance thereon under the State Environmental Quality Review (SEQR) Regulations; and,

**WHEREAS**, the Planning Board has reviewed the public record on said Action,

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the Special Use Permit for the following reasons:

1. The application has been determined to be consistent with the provisions of Chapter 105, Article VI, Section 601 and Section 628 of the town Code.
2. The Special Use Permit is for a tourist home and is valid for a period of two years and must be renewed on or before November 25, 2010 or prior to any change in either use or site plan components..
3. The Special Use Permit was approved by the Planning Board based on the site plan signed and approved on December 28, 2006.
4. The Special Use Permit is granted only to the current property owner and shall be made null and void upon transfer of ownership of the property.

The above Resolution was offered by Joseph Maslyn and seconded by Thomas Knapp, at a regularly scheduled Planning Board Meeting held on November 25, 2008. Following discussion, the following voice vote was recorded:

Thomas Knapp –aye

Joseph Maslyn –aye

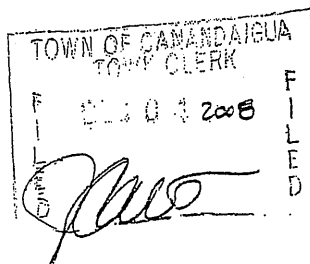
Robert Mincer –aye

Thomas Schwartz –aye

Patricia VanDyne –excused

I, Leslie C. O'Malley, Secretary to the Planning Board, do hereby attest to the accuracy of the above Resolution being acted upon and recorded in the minutes of the Canandaigua Planning Board for the November 25 , 2008 meeting.

Leslie C. O'Malley L.S.  
Leslie C. O'Malley, Ph.D.  
Secretary to the Board



**TOWN OF CANANDAIGUA PLANNING BOARD  
SEQR RESOLUTION - TYPE II ACTION**

**CPN-104-08**

**APPLICANTS: MARGARET COVINGTON AND PATRICIA ENGLISH**

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as the Board) has classified the above referenced Action (CPN-104-08) 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;

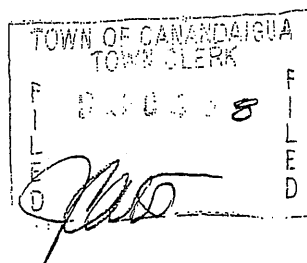
**NOW, THEREFORE, BE IT RESOLVED THAT** the Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Joseph Maslyn and seconded by Robert Mincer at a meeting of the Planning Board held on November 25, 2008. Following discussion thereon, the following voice vote was taken and recorded:

Thomas Knapp -aye  
Joseph Maslyn -aye  
Robert Mincer -aye  
Thomas Schwartz -aye  
Patricia VanDyne -excused

I, Leslie C. O'Malley, Secretary to the Planning Board, do hereby attest to the accuracy of the above Resolution being acted upon and recorded in the minutes of the Canandaigua Planning Board for the November 25, 2008 meeting.

*Leslie C. O'Malley* L.S.  
Leslie C. O'Malley, Ph.D.  
Secretary to the Board



**TOWN OF CANANDAIGUA**

5440 Route 5 & 20 West  
Canandaigua NY 14424  
(585) 394-1120

**PLANNING BOARD  
DECISION NOTIFICATION FORM**

Meeting Date: November 28, 2006

Project No.: CPN-118-06

Project Location	Tax Map #	Project Description	Applicant	Owner
112.01-1-6.100	3770 State Route 21 South	Special Use Permit	Margaret Covington and Patricia English 3770 State Route 21 South Canandaigua, NY 14424	Margaret Covington and Patricia English 3770 State Route 21 South Canandaigua, NY 14424

**TYPE OF APPLICATION**

- ☐ Preliminary ☐ Final  
☐ Subdivision ☒ Special Use Permit ☐ Site Plan  
☐ Sign: Bldg ☐ Sign: Ground  
☒ Granted ☐ Denied ☐ Tabled  
☒ See attached resolution(s)

Continued to:

**SEQR**

- Type: ☐ 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:

Letter of Credit / Bond Requirements:

Landscaping: \$

Soil Erosion: \$

Other (specify):

PLANNING BOARD CHAIR SIGNATURE

REQUIRED BY 2-26-07

(DATE)

FAILURE TO HAVE THIS SIGNATURE WILL

NULLIFY ANY PLANNING BOARD APPROVAL.

Certified By:

*Therese Pannelly*

Chairperson, Planning Board

Date: 12/4/06

APPLICANT: MARGARET COVINGTON & PATRICIA ENGLISH  
ACTION RESOLUTION

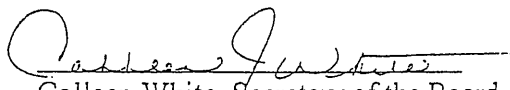
DEC 5 2005

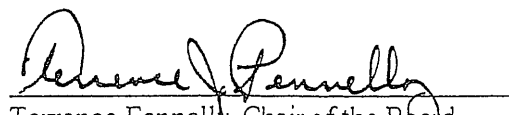
8. The Special Use Permit is valid for a period of   2   years and must be renewed on or before 11/28/08.
9. The Special Use Permit is granted only to the applicant(s) and shall be made null and void upon transfer of ownership of the property.
10. The applicant is to submit a statement of operation for the file prior to signing the final site plan and the issuing of any permits.
11. The applicants are to install a back-up generator prior to operation of the bed and breakfast.

The above Resolution was offered by J.Maslyn and seconded by B.Mincer at a regular scheduled Planning Board Meeting held on November 28, 2006. Following discussion, a roll call vote was recorded:

Robert Mincer -	AYE
Joseph Maslyn -	AYE
Patrick McCabe -	EXCUSED
Patricia VanDyne -	AYE
Terrence Fennelly -	AYE

I, Colleen White, Secretary of the Board, do hereby attest to the accuracy of the above Resolution being act upon and recorded in the minutes of the Canandaigua Planning Board for the, November 28, 2006 meeting.

  
Colleen White, Secretary of the Board

  
Terrence Fennelly, Chair of the Board

CANANDAIGUA PLANNING BOARD RESOLUTION

FILE # CPN-118-06

APPLICANT: M. COVINGTON/P. ENGLISH

SEQR RESOLUTION - TYPE II ACTION

WHEREAS, The Town of Canandaigua Planning Board, hereinafter referred to as Planning Board, has determined the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and,

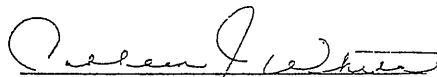
WHEREAS, Type II Actions are not subject to further review under Part 617.


NOW, THEREFORE, BE IT RESOLVED that the 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.

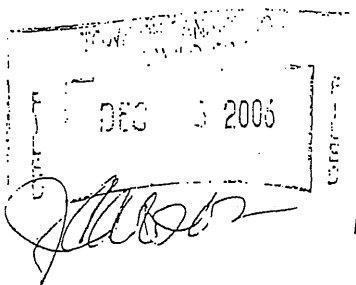
The above resolution was offered by B.Mincer and seconded by P.VanDyne at a regular scheduled meeting of the Planning Board held on Tuesday, November 28, 2006. Following discussion thereon, the following roll call vote was taken and recorded:

Joe Maslyn	AYE
Bob Mincer -	AYE
Patrick McCabe -	Excused
Terrence Fennelly -	AYE
Patricia VanDyne -	AYE

I, Colleen White, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Canandaigua Planning Board for the November 28, 2006, meeting.

  
Colleen White, Clerk of the Board

  
Terrence Fennelly, Chair of the Board



The Chalet of Canandaigua  
3770 State Route 21  
Canandaigua, NY 14424

12/27/06

Town of Canandaigua  
5440 Route 5 & 20 West  
Canandaigua, NY 14424

To Whom It May Concern:

Re: Statement of Operations

The Chalet of Canandaigua will function as a bed and breakfast open to the public with three rooms. We will be open 24/7. We will offer accommodations for our clients to visit from one night with extended stays of up to two weeks in each of our three rooms. Our rooms are meant to accommodate up to two people per room offering breakfast as part of their stay. Check in will be between 3pm-8pm. Checkout will be by noon of the day following their stay. Exceptions to these times will be handled on a case by case basis. All guests will be required to register before occupancy.