

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: Angelo Licciardello
PROPERTY ADDRESS: 3535 State Route 364
TAX MAP NUMBER: 98.19-1-20.100
ZONING DISTRICT: R-1-20

DETERMINATION REFERENCE:

- Application for Preliminary Subdivision Approval, dated 1/31/2022, received 02/01/2022.
- Rendered Site Plan, prepared by Marks Engineering, dated 02/01/2022, received 02/01/2022.
- Preliminary Subdivision & Site Plans for Sunset Ridge Estates/Lakewood Custom Homes Residential Development, prepared by Marks Engineering, dated 02/01/2022, last revised 05/02/2022, received 05/03/2022.
- Updated sheets C100, C101, C102, Plat and Easement Plan, revised and received on 05/17/2022.
- Updated sheet C101, revised and received on 05/23/2022.

PROJECT DESCRIPTION:

- Subdivision of existing parcel 33.18-acre parcel into thirty-one (31) single-family dwelling lots with associated roadways and infrastructure.
- The applicant proposes four sections of the project:
 - Sections 1 and 2 include nineteen (19) residential lots, closest to NY State Route 364.
 - Sections 3 and 4 include twelve (12) residential lots, on the far east side of the property, connecting to the nine (9) lot subdivision in the Town of Hopewell.
- The applicant proposes two ingress/egress points: a dedicated subdivision road and cul-de-sac extending off State Route 364 and a cul-de-sac serving Sections 3 and 4 linking to a rural collector road in the Town of Hopewell.
- Stormwater management systems are proposed with both ponds on private lots. The intent has changed from the 02/2022 submission. The current proposal shows the SWM on individual lots that will be maintained by a Homeowner's association.
- Additional site development features include buried utilities, service connections, grading, and landscaping.

DETERMINATION:

- The proposed number of single-family residential lots and configuration is consistent with the underlying zoning requirements of the R-1-20 district.
- Staff reviewed the parcel, per its rating in the Canandaigua Open Space, Conservation and Scenic Views Master Plan (OSSV Master Plan), 2018. Note that all parcels in the Town of Canandaigua have a parcel rating which assigns that property a "score" based on

a variety of open space features (the highest rated parcels are 8,800 and above). Subject parcel scored 2,022 and is therefore not a property of significance, or a land of conservation value:

- a. Sections of this property are within the Scenic Viewshed Overlay District, which is guided by Map 10, OSSV Master Plan, "*Land Visible from Canandaigua Lake*." The Planning Board will need to make a finding pursuant to Section 220-33.1 D to authorize the lots that do not meet the one-acre threshold. Areas of Section 3 and 4 are in the Scenic Viewshed Overlay district therefore they are required to be one-acre in size.
 - b. The middle portion of the parcel can be seen in Map 6, OSSV Master Plan, "*Steep Slopes*." Portions of that area are above a 15% slope. Planning Board is requiring that area be put into a Conservation Area, under easement. There are some other questionable areas and portions of a few lots may have additional disturbance at time of construction. A separate grading analysis should be done as it relates to Section 220-8 of the Steep Slope provisions in the code.
 - c. Parcel is NOT in the Strategic Forest Protection Area.
 - d. Parcel is NOT rated as a Scenic Viewpoint.
 - e. Portions of the parcel have Successional Northern Hardwood Forest but there is no indication of Silver Maples.
- Any project located with frontage along NYS Route 364 should provide a 15' easement for future sidewalk development.
 - The Town has preliminarily discussed this parcel as part of the gateway signage master plan. Applicant has agreed to allow placement of a "*Welcome to Canandaigua*" sign. Location to be determined.
 - Proposed Road B connects to the Town of Hopewell via County Road 18. There is no draft agreement related to the Town of Hopewell taking over maintenance of this road. This will need to be finalized.
 - Site development features currently do not include trail networks connecting the two residential areas. Sidewalks are proposed on the NYS Route 364 side of the project.
 - A homeowner's association is now necessary as the SWM facilities will be under their purview as well as common easement areas, including the conservation easement on the steep slope portion of the property.
 - Staff is suggesting each lot come in for individual site plan review once the house has been selected, to ensure proper siting, in conformance with all environmental constraints and ultimate Planning Board conditions of approval.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application was referred to the Ontario County Planning Board, on 2/22/2022, due to the proximity to NYS Route 364. The OCPB recommended approval of the referral at

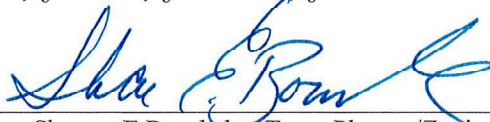
their 03/09/2022 meeting.

REFERRAL TO PLANNING BOARD FOR:

- All subdivisions shall be reviewed by the Planning Board for approval.
- Finding pursuant 220-33.1 D of the Code.

CODE SECTIONS: Chapter §1-17; §174; §220-8, §220-19, §220-33.1, §220-68

DATE: 5/21/2022

BY: 
Shawna E Bonshak – Town Planner/Zoning Officer

CPN- 2022-012

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 Owner
Town Clerk

CANANDAIGUA TOWN CLERK

MAY 24 2022

RECEIVED