

## ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting – November 9, 2021 at 3:30pm – County Planning Board Meeting – November 10, 2021 at 7:00pm Hybrid Meeting Click Join Meeting hyperlink below**

Telephone: 585-396-4455

8 - 2022

Town of Canandaigua Zoning Board of Appeals

Class: AR 2

Type: *Area Variance*

Related Referrals: 7-2022

Applicant: *Venezia Associates*

Property Owner: *ABDB Silver Springs*

Tax Map Parcel #: *126.16-1-1.100*

Brief Description: *Site plan and area variance for replacement home at 4351 Tichenor Point Drive in the Town of Canandaigua. Area variance required for building/pool 37' from Tichenor Creek when 100' stream setback is required.*

<https://ontariocountyny.gov/DocumentCenter/View/32468/13-2022-Aerial-Topo>

The existing site is a 4 acre site with 2 cottages. The submitted materials indicate the proposed house was moved 15' to the west to reduce impact to root system of 2 large trees on the property. Arborist report also outlines additional fencing, operating procedures during foundation excavation, and recommendations for long term tree maintenance to reduce impact to the root system and increase likely viability of 2 specimen tree and other mature trees on the property. The limit of disturbance appears to excludes the infiltration meadow and other site modifications.

According to OnCor, the stream along the southern property boundary and the eastern half of the site are in the floodplain. There are also areas of 16 to 30 percent slopes along the CR 16 frontage.

### **Policy AR 5 Applications involving one single family residential site, including home occupations. Part B Development of Lakefront Parcels.**

B. The following applies to all development on parcels with lake frontage that require;

- variances pertaining to lot coverage or,
- variances pertaining to side yard setbacks or,
- variance pertaining to lake shore setbacks

The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification: 2**

#### **Findings:**

1. Protection of water features is a stated goal of the CPB.

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2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation:** Denial

### Comments

1. The referring board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
3. Demolition debris should be recycled if facilities exist and remaining debris should be disposed of in a licensed facility
4. How does the site plan balance cuts and fills to not impact flooding of adjacent properties?
5. The site plan, planting plan, and grading plan should all include the limit of work and more clearly define what will be disturbed/protected/installed/restored.

**CLCSD Comments** Have received drawings in the office for review. Permit will be required for renovation

9 - 2022

Town of Richmond Zoning Board of Appeals

Class: AR 2

Type: *Area Variance*

Related Referrals: *n/a*

Applicant: *John & Maria Martens*

Property Owner: *same*

Representative: *Bob Stowe*

Tax Map Parcel #: *150.17-1-12.100*

Brief Description: *Area variance for 10'x26' deck with steps on lakeside of house at 5270 Cottage Cove in the Town of Richmond . Proposed rear setback is less than the 50' required.*

The site plan indicates the proposed deck, excluding the stairs is 36.5' from the edge of a timber retaining wall though the water's edge is noted as approximately 10' closer at the south end of the deck. It also