

Town of Canandaigua

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

PLANNING BOARD APPLICATION SITE PLAN / SPECIAL USE PERMIT

CPN _____

FOR: ☐ Sketch Plan Review

☒ One Stage Site Plan Approval (Preliminary & Final Combined)

☐ Two Stage Preliminary Site Plan Approval

☐ Two Stage Final Site Plan Approval

☐ Special Use Permit (New)

☐ Special Use Permit (Renewal)

Permission for on-site inspection for those reviewing application: ☐ Yes ☐ No

1. Name and address of the property owner: Larry Werges
5265 Old West Lake Rd., Canandaigua, NY 14424

Telephone Number of property owner: 585-370-2326

Fax # _____ E-Mail Address: lwerges@fingerlakescoffee.com

****If you provide your e-mail address, this will be the primary way we contact you ****

2. Name and Address Applicant *if not the property owner*: Brennan Marks - Marks Engineering, P.C.
42 Beeman St. Canandaigua, NY 14424

Telephone Number of Applicant: 585-905-0360

Fax # _____ E-Mail Address: bmarks@marksengineering.com

****If you provide your e-mail address, this will be the primary way we contact you ****

3. Subject Property Address: 4963 Waters Edge Drive

Nearest Road Intersection: Waters Edge Drive & County Road 16

Tax Map Number: 98.09-1-20.100 Zoning District: RLD

4. Is the Subject Property within 500' of a State or County Road or Town Boundary? (If yes, the Town may refer your application to the Ontario County Planning Board.)

Please circle one:

YES

NO

5. Is the Subject Property within 500' of an Agricultural District? (If yes, an Agricultural Data Statement must be completed and submitted with this application.)

Please circle one:

YES

NO

(Continued on Back)

6. What is your proposed new project?

Construction of a new 2,500 square foot single-family residence.

7. Have the necessary building permit applications been included with this form? If not, please verify which forms are required to be submitted with the Development Office.

8. If applying for Site Plan Approval or Special Use Permit, attach a completed Soil Erosion and Sedimentation Control Plan and Permit Application as described in Chapter 165 of the Town Code.

9. Are you requesting a waiver from a professionally prepared site plan?

Please circle one:

YES

☒ NO

If "yes" the property owner acknowledges and accepts full responsibility for any errors or misrepresentation depicted on the site plan and agrees to indemnify the Town of Canandaigua for any and all expenses, including reasonable attorney's fees, incurred by the Town as a result of any such error or misrepresentation.

_____ (property owner's initials)

10. If no, attach a professionally prepared site plan as described in Chapter 220 Article VII (Site Plan Regulations) of the Town Code.

11. If a Special Use Permit is requested, attach plans and documentation as required in Chapter 220 Article VI (Regulations Governing Special Permit Uses) of the Town Code.

The applicant / property owner is on notice that their personal/bank check submitted to the Town to meet the landscaping/soil erosion surety requirement(s) as noted in the Planning Board decision sheet will be deposited into a Town non-interest bearing bank account.

IDENTIFICATION OF POTENTIAL CONFLICTS OF INTEREST

(Required by NYS General Municipal Law § 809)

1. ***If the Applicant is an Individual:*** Is the applicant or any of the immediate family members of the applicant (including spouse, brothers, sisters, parents, children, grandchildren, or any of their spouses) related to any officer or employee of the Town of Canandaigua? YES ☒ NO
2. ***If the Applicant is a Corporate Entity:*** Are any of the officers, employees, partners, or directors, or any of their immediate family members (including spouse, brothers, sisters, parents, children, grandchildren, or any of their spouses) of the company on whose behalf this application is being made related to any officer or employee of the Town of Canandaigua? YES ☒ NO
3. ***If the Applicant is a corporate entity:*** Are any of the stockholders or partnership members (holding 5% or more of the outstanding shares), or any of their immediate family members (including spouse, brothers, sisters, parents, children, grandchildren, or any of their spouses) of the company on whose behalf this application is being made related to any officer or employee of the Town of Canandaigua? YES ☒ NO

4. *If the Applicant has made any agreements contingent upon the outcome of this application:* If the applicant has made any agreements, express or implied, whereby said applicant may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of this application, petition, or request, are any of the parties to said agreement officers or employees of the Town of Canandaigua? YES ☒ NO

If the answer to any of the above questions is YES, please state the name and address of the related officer(s) or employee(s) as well as the nature and extent of such relationship:

***Property Owner is responsible for any consultant fees
(Town Engineer, Town Attorney, etc.) incurred during the application process.***

Please note that the **Property Owner** is responsible for all consultant fees during the review of this application including legal, engineering, or other outside consultants. Applications submitted to the Town of Canandaigua Planning Board will normally receive chargeback fees of at least five hours to ten hours for planning services including intake, project review, resolution preparation, SEQR, and findings of fact. PLEASE NOTE that the number of hours will be SIGNIFICANTLY INCREASED due to incomplete applications, plans lacking detail, or repeated continuations. Subdivision applications and larger commercial or industrial projects traditionally require more hours of engineering, legal, and other consultant review and preparation and will incur higher costs. Applications for new construction may be referred to the Town Engineer for engineering review which may include at least an additional eight to twelve hours of review time. The **Property Owner** will also be responsible for legal fees for applications submitted to the Town of Canandaigua Planning Board, Zoning Board of Appeals, or the Town of Canandaigua Development Office. Fees for engineering and legal expenses traditionally range between one hundred and one hundred fifty dollars per hour. A copy of the Town's annual fee schedule is available upon request from the Development Office or the Town Clerk's Office. The **Property Owner's** signature below indicates that the **Property Owner** understands that the **Property Owner** will be responsible for all outside consultant fees incurred as a result of the submitted application, and consents to these charges. Additionally projects approved by the Town of Canandaigua Planning Board may be required to pay a parks and recreation fee as established by the Town Board (currently \$ 1,000 per unit) if required as part of the conditions of approval.



(property owner)

(property owner)

SIGN HERE

I hereby acknowledge that I have reviewed all the questions contained in this application and certify that the information provided is accurate and complete to the best of my knowledge and ability. Finally, I hereby grant my designated person in Question #2 of this application form, permission to represent me during the application process.


(Signature of Property Owner)


(Date)

SIGN HERE

SOIL EROSION AND SEDIMENT CONTROL PERMIT APPLICATION

(Standards Approved by Town: NY Guidelines for Urban Erosion and Sedimentation Control)

ON-SITE INSPECTION REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

Date: _____

Zoning District: _____

Property Owner Name and Address: Larry Werges
5265 Old West Lake Rd., Canandaigua, NY 14424

Telephone / Fax # 585-370-2326 E-mail address: lwerges@fingerlakescoffee.com

Site Location: 4963 Waters Edge Drive

Size of Site (Acres/ Sq.Ft.): 0.332 Acres Tax Map Number 98.09-1-20.100

Description of proposed activity: Construction of a new 2,500 square foot single-family residence.

Per Chapter 165 §165-10-B, at a <u>minimum</u> , the map, plan or sketch prepared shall include the following:	Shown on Plan Yes / No	Initial Review	Follow Up Review
1. Boundaries of the subject parcel and other parcels adjacent to the site which may be materially affected by the action.	Y		
2. Existing features including structures, roads, water courses, utility lines, etc. on the subject parcel and on adjacent parcels where appropriate.	Y		
3. Existing vegetative cover including wooded areas, grass, brush, or other on the subject parcel and on adjacent properties where appropriate.	Y		
4. Limits or extent of excavation, filling, and/or grading proposed to be undertaken.	Y		
5. The disposition of soil and top soil, whether on site or off site, and the locations of any stockpiles to be placed on site.	Y		
6. Temporary and permanent drainage, erosion and sedimentation control facilities including ponds, sediment basins, swales, energy dissipation devices, silt fences and/or straw bale locations.	Y		
7. The location of proposed roads, driveways, sidewalks, structures, utilities and other improvements.	Y		
8. Final contours of the site in intervals adequate to depict slopes and drainage details on the site.	Y		

Per Chapter 165 §165-10-B, at a <u>minimum</u> , the map, plan or sketch prepared shall include the following:	Shown on Plan Yes / No	Initial Review	Follow Up Review
9. A time schedule indicating:			
a. When major phases of the proposed project are to be initiated and completed;	Y		
b. When major site preparation activities are to be initiated and completed;	Y		
c. When the installation of temporary and permanent vegetation and drainage, erosion and sediment control facilities is to be completed; and	Y		
d. The anticipated duration (in days) of exposure of all major areas of site preparation before the installation of erosion and sediment control measures. <u>6 months</u>	N		
Other Information Required to be Provided:	Shown on Plan Yes / No	Initial Review	Follow Up Review
10. What is the general topography and slope of the subject property (in %): <u>15%</u>	Y		
11. How much area (in square feet) and/or volume (in cubic yards) will be disturbed? <u>50 CY</u>	N		
12. Does the subject property drain offsite? <input checked="" type="radio"/> Yes <input type="radio"/> No If yes, where does it drain to and how will it affect offsite properties? <u>Lake</u>	Y		
13. How will erosion be controlled on site to protect catch basins from silt? <u>Silt Fence</u>	Y		
14. If sedimentation basins are proposed, where will they overflow to if they become clogged? Describe: <u>N/A</u>	N		
15. Is there any offsite drainage to subject property? <input checked="" type="radio"/> Yes <input type="radio"/> No If yes, where does the drainage come from? <u>Right of way</u>	Y		

Other Information Required to be Provided:	Shown on Plan Yes / No	Initial Review	Follow Up Review
16. How will off site water courses be protected? <u>Silt Fence</u>	Y		
17. How will any adjacent roadside ditches or culverts be protected during construction? <u>Silt Fence @ construction entrance</u>	Y		
18. Has the appropriate highway superintendent been contacted? Yes <input checked="" type="radio"/> No Name of the person contacted and date contacted:	N		
20. Is existing vegetation proposed to be removed? <input checked="" type="radio"/> Yes No (If yes, the vegetation to be removed must be identified on the plan.)	Y		
21. Will any temporary seeding be used to cover disturbed areas? <input checked="" type="radio"/> Yes No If yes, a note shall be added to the plans.	Y		
22. What plans are there for permanent revegetation? Describe: <u>Lawn</u>	Y		
23. How long will project take to complete? <u>6 months</u>	N		
24. What is the cost estimate to install and maintain erosion and sedimentation control facilities before, during, and after construction? <u>\$1000</u>	N		

Attach additional sketches, calculations, details as needed to this form.

Town of Canandaigua

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

CPN#: _____

One-Stage (Preliminary & Final) Site Plan Checklist

Applicant: Larry Werges

Project Address: 4963 Waters Edge Drive

Tax Map#: 98.09-1-20.100

Zoning District: RLD

Project Description Narrative: Construction of a new 2,500 square foot single-family residence.

Per Chapter 220 §220-67-A: **One and Two stage review.**

- A. Applications for site plans to be reviewed in one stage where no preliminary site plan review is required:
- (1) Shall be processed and reviewed as required in NYS Town Law Article 16, Section 274-a, as may be amended.
 - (2) Shall be submitted in final form.
 - (3) Shall include all information required for preliminary and final site plans as specified in sections Town Code §§ 220-69 and 220-70.
 - (4) The submitted site plan drawing shall be marked as final and shall include a note that no preliminary site plan review was required.

Preliminary Site Plan Checklist - Chapter 220 Section 220-69	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
A. A preliminary application shall include an affidavit that the applicant is the owner or equitable owner of the land proposed to be developed or their legal representative.	X		
B. Information shown on the preliminary site plan shall be organized to clearly depict existing and proposed conditions and assist the Planning Board's understanding of potential impacts as well as proposed mitigation.	X		
C. The preliminary site plan shall be clearly marked as preliminary and show all of the following information:	N/A		
(1) General Content			
(a) All dimensions shall be shown in feet and in hundredths of a foot.	X		
(b) Proposed development name or identifying title (Preliminary Site Plan of Property Owner);	X		
(c) Name of the owner of the property;	X		
(d) Names of owners of all abutting land;	X		
(e) Name and seal of the New York State licensed professional engineer or surveyor responsible for the plan;	X		
(f) Date, North point and scale. The site plan shall be at a scale of no more than 100 feet to the inch;	X		
(g) A legible location map;	X		
(h) A map revision box;	X		

Preliminary Site Plan Checklist - Chapter 220 Section 220-69	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
(i) A map legends/key;	X		
(j) A signature block for the Planning Board Chairperson and others as may be required;	X		
(k) An area for general map notes;	X		
(l) A completed agricultural data statement form identifying whether the site lies within an area which is further regulated under § 283-a of Town Law, as amended;	N/A		
(m) For lots located within or adjacent to established Ontario County Agricultural District lands the site plans shall have a general note identifies and thereby acknowledges the provisions of the Town's Right-to-Farm Law.	N/A		
(n) Current zoning of the land including district boundaries and all setback dimensions for said zoning district(s);	X		
(2) Existing Conditions			
(a) All existing property lines, with bearings and distances including the subject (parent) parcel Tax Map numbers;	X		
(b) Area of the subject lot(s);	X		
(c) Required building setback lines on each lot;	X		
(d) Sufficient data to determine readily the location, bearing and length of every existing street, easement, lot and boundary line and to reproduce such lines on the ground, including:	X		
[1] The length of all straight lines, radii, lengths of curves and tangent bearings for each street; and	WA		
[2] All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.	NA		
(e) The boundaries and nature of all existing easements, deed restrictions and other encumbrances;	WA		
(f) Existing contours at vertical intervals of 20 feet, including the source of the information. In the case of steep or unusual tracts, the Planning Board may require contours at such lesser intervals as it finds necessary for study and Planning of the tract.	X		
(g) Existing vegetative land cover;	Y		
(h) Delineation of natural features described in the NRI including;			
[1] existing watercourses	X		
[2] tree masses and other significant land cover	X		
[3] land exceeding a slope of 10%	Y		
[4] NYSDEC or Federally regulated wetland	WA		
[5] FEMA Special Flood Hazard Zone boundaries and designations, including the Flood Hazard Zone, Community Map Panel Number and the effective date of the Flood Insurance Mapping as shown;	X		
[6] other natural features identified in the NRI	NA		
(i) All existing significant man-made features including but not limited to:			
[1] buildings with property line setbacks	X		
[2] width, location, and sight distances for all private driveways	Y		
[3] limits of pavement and parking areas	NA		

Preliminary Site Plan Checklist - Chapter 220 Section 220-69	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
[4] existing streets on or adjacent to the subject lot including names, right-of-way widths and pavement widths	X		
[5] sanitary and storm sewers	X		
[6] wastewater treatment systems	X		
[7] public and private wells, water mains and fire hydrants	X		
[8] drainage features including, storm water ponds, swales, culverts, and known underground drain tiles	X		
[9] Location of all other existing utility lines and related facilities including, gas, electric and telephone.	X		
(j) Agricultural infrastructure including surface and subsurface drainage systems, and access lanes for farm equipment.	N/A		
(3) Proposed Conditions: Development			
(a) Delineation of all proposed sections or phases if any;	N/A		
(b) Delineation of limits of any land to be disturbed in any manner including areas to be cleared of vegetation, cut, filled, excavated, or graded. The delineation shall include dimensions and other references needed to allow efficient field verification.	X		
(c) Existing and proposed contours, at vertical intervals of no more than five feet;	X		
(d) The boundaries and nature of all proposed easements, deed restrictions and other encumbrances	X		
(e) The proposed building setback from each property line and other buildings on the same lot;	X		
(f) Location and dimension of all areas to be protected as open space.	X		
(g) Location and dimensions of all, public buildings, public areas and other parcels of land proposed to be dedicated to or reserved for public use;	N/A		
(h) Proposed location, boundaries and uses of all buildings.	X		
(i) Location and description of all swales, ponds, basins, fences, dikes or other devices required to control soil erosion and sedimentation or otherwise comply with the provisions of the Town Soil Erosion and Sedimentation Control Law (see Chapter 165).	X		
(j) Limits of pavement and parking areas of the Town Code);			
(k) Location and width of all proposed streets, alleys, rights-of-way and easements. The Planning Board shall have the right to name new developments and streets in accordance with historic characteristics of the community and the Ontario County 911 addressing policy.	N/A		
(l) Typical cross-sections, street profiles and drainage details for all streets. Such profiles shall at least show the following: existing grade along the proposed street center line; existing grade along each side of the proposed street right-of-way; proposed finished center-line grade or proposed finished grade at top of curbs; sanitary sewer mains and manholes; and, storm sewer mains, inlets, manholes and culverts;	N/A		

Preliminary Site Plan Checklist - Chapter 220 Section 220-69	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
(m) Location and widths of all proposed driveway intersections with streets and sight distances there from. Suitable means of access in accordance with Town Code and Town of Canandaigua Site Design and Development Criteria.	Y		
(n) Location and size of all proposed water mains, laterals, hydrants, meters, and valves;	X		
(o) Location of any public or private wells	X		
(p) Location, size and invert elevations of all proposed sanitary and storm sewers and location of all manholes inlets and culverts;	X		
(q) Location, size and design of proposed on site wastewater treatment systems;	X		
(r) Location of all other proposed utility lines and related facilities including, gas, electric and telephone;	X		
(s) Proposed vegetative land cover and landscaping;	X		
(t) Outdoor lighting;			
(u) Location and design of all signs			
(v) A description of all approvals required from outside agencies.			
(w) Schedule for development including a detailed sequence of construction and estimated dates for start and completion.	X		
(x) The Planning Board may require an applicant to submit additional information as may be needed to assess the potential impacts from the proposed development and			

Final Site Plan Requirements – Chapter 220 Section 220-70	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
A. Site plan size and legibility.			
(1) Final site plans shall be on sheets no smaller than 8 1/2 inches by 11 inches and not larger than 24 inches by 36 inches. Where necessary, final site plans may be drawn in two or more sections accompanied by a key diagram showing relative location of the sections.	X		
B. The final site plan shall be clearly marked as final and shall show thereon or be accompanied by:			
(1) All information provided on the approved preliminary site plan as well as any improvements, modifications and additional information required as part of the preliminary approval;	NA		
(2) The names of developments and proposed streets which have first been approved by the Planning Board and Ontario County 911 Center;	Y		
(2) Detailed sizing and final material specification of all required improvements;	Y		
(4) Permanent reference monuments as required by any proper authority;	Y		
(5) A detailed plan identifying all lands, easements, and rights-of-way which shall be commonly owned with the identification of the association responsible for said ownership and method of managing the commonly owned properties;	NA		
(6) Copies of other proposed easements deed restrictions and other encumbrances;	NA		
(7) Protective covenants, if any, in a form acceptable for recording;	NA		

Final Site Plan Requirements – Chapter 220 Section 220-70	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
(8) Cost estimates for improvements where surety may be required by the Planning Board including but not limited to: landscaping and storm water and erosion control measures. Sureties shall comply with Town Code § 174-32 "Surety";			
(9) The owner shall tender offers of cession, in a form certified as satisfactory by the Town Board Attorney, of all land included in streets, highways or parks not specifically reserved by the property owner. Although such tender may be irrevocable, approval of the site plan by the Planning Board shall not constitute an acceptance by the Town of the dedication or gift of any street, highway or park or other open public areas. A dedication or gift of any such improvements may only be accepted by resolution of the Town Board.			

I have reviewed my submitted application and drawings against the above noted criteria and hereby certify that the submitted application matches this completed check list.


 Signature of Applicant / Representative


 Date

 **SIGN HERE**

April 7, 2020

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

To Whom It May Concern,

This letter serves as affirmation that Mr. Lawrence Werges, landowner of 4963 Waters Edge Drive in the Town of Canandaigua, has granted Marks Engineering, P.C. permission to apply for the Single Stage Site Plan and Zoning Board approval with the Town of Canandaigua.



Marks Engineering, P.C.

Date 04/07/2020



Lawrence Werges

Date 4/2/20

Town of Canandaigua

5440 Route 5 & 20 • Canandaigua, NY 14424 • (585) 394-1120 • Fax: (585) 394-9476
townofcanandaigua.org

NEW STRUCTURE/ADDITION BUILDING PERMIT APPLICATION

1. **Subject Property** Address: 4963 Waters Edge Drive
Tax Map Number: 98.09-1-20.100 Zoning District: RLD

2. **Property Owner:** Name(s): Larry Werges
Address: 5265 Old West Lake Rd., Canandaigua, NY 14424
Telephone: 585-370-2326 Email: lwerges@fingerlakescoffee.com

3. **Applicant (if not property owner):** Name(s): Marks Engineering, P.C.
Address: 42 Beeman St., Canandaigua, NY 14424
Telephone: 585-905-0360 Email: bmarks@marksengineering.com

4. **Scope of work – including the total square footage of the project if applicable:**
Construction of new 2500 square foot single family residence with and attached
garage.

5. **Contractor Information:**
General Contractor: _____
Address: _____
Telephone: _____ Email: _____

CONTRACTOR INSURANCE CERTIFICATES REQUIRED PER NYS:

WORKER COMPENSATION (C-105.2 or U-26.3) and (DISABILITY) DB-120.1

Or

CONTRACTORS & HOMEOWNERS MAY COMPLETE A CERTIFICATE OF ATTESTATION OF EXEMPTION (CE-200)

***PLEASE NOTE THAT WE CANNOT ACCEPT ACORD FORMS AS PROOF OF INSURANCE. THANK YOU.**

6. NEW STRUCTURE INFORMATION

1. What is the area (ft ²) of the proposed 1st floor ?	1800
2. What is the area (ft ²) of the proposed 2nd floor ?	0
3. What is the area (ft ²) of the proposed garage ?	744
4. What is the area (ft ²) of the finished basement ?	700
5. What is the area (ft ²) of the proposed deck(s) ?	934
6. What is the area (ft ²) of the proposed porch(es) ?	0
7. What is the area (ft ²) of the proposed patio(s) ?	0
8. What is the area (ft ²) of any proposed accessory structure(s) ?	0
What is the total area (ft ²) of items 1 - 8?	4178

7. NEW STRUCTURE ZONING INFORMATION

Dimensional Description	Applicant to Complete	Development Office Staff to Complete	
		Required By Code	Variance Required
Distance from the road right-of-way	35'	55'	yes
Distance from rear property line	53.28'	30'	
Distance from right side property line	10.10'	0.9	NO
Distance from left side property line	10.08'	10'	
Height of New Structure	25'	25'	
Percentage Building Coverage (All existing and proposed structures)	25.17% 25.17%	20 %	Yes
Percentage Lot Coverage RLD ZONING DISTRICT ONLY	46.53%	30 %	Yes

8. EARTHWORK

Square feet (SF) of area to be disturbed:

14000sf

(length (ft) x width (ft) = SF

Cubic yards (CY) to be excavated:

50cy

(length (ft) x width (ft) x depth (ft) divided by 27 = CY

9. ENVIRONMENTAL IMPACT

Will this structure be built within:

- a. 100 ft of the bed of a stream carrying water on an average 6 months of the year?

YES

NO

- b. 100 ft of a NYS DEC wetland?

YES

NO

- c. Close proximity to a federal wetland?

YES

NO

(If yes, setback to wetland? _____ ft.)

- d. Steep slopes equal to or greater than 15%?

YES

NO

- e. A wooded area greater than 5 acres?

YES

NO

10. PROFESSIONALLY PREPARED PLANS

Per Article 145 of NYS Education Law - To alterations to any building or structure costing more than twenty thousand dollars or to projects which involve changes affecting the structural safety or public safety - No official of NY state, or of any city, county, town or village therein, charged with the enforcement of laws, ordinances or regulations shall accept or approve any plans, specifications, or geologic drawings or reports that are not stamped.

Project Cost (Including Labor) exceeds \$20,000?

YES

NO

11. IDENTIFICATION OF POTENTIAL CONFLICTS OF INTEREST

(Required by NYS General Municipal Law § 809)

- a. *If the Applicant is an Individual:* Is the applicant or any of the immediate family members of the applicant (including spouse, brothers, sisters, parents, children, grandchildren, or any of their spouses) related to any officer or employee of the Town of Canandaigua?
YES NO
- b. *If the Applicant is a Corporate Entity:* Are any of the officers, employees, partners, or directors, or any of their immediate family members (including spouse, brothers, sisters, parents, children, grandchildren, or any of their spouses) of the company on whose behalf this application is being made related to any officer or employee of the Town of Canandaigua?
YES NO
- c. *If the Applicant is a corporate entity:* Are any of the stockholders or partnership members (holding 5% or more of the outstanding shares), or any of their immediate family members (including spouse, brothers, sisters, parents, children, grandchildren, or any of their spouses) of the company on whose behalf this application is being made related to any officer or employee of the Town of Canandaigua?
YES NO
- d. *If the Applicant has made any agreements contingent upon the outcome of this application:* If the applicant has made any agreements, express or implied, whereby said applicant may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of this application, petition, or request, are any of the parties to said agreement officers or employees of the Town of Canandaigua?
YES NO

If the answer to any of the above questions is YES, please state the name and address of the related officer(s) or employee(s) as well as the nature and extent of such relationship:

***Property Owner is responsible for any consultant fees
(Town Engineer, Town Attorney, etc.) incurred during the application process.***

12. Please note that the **Property Owner** is responsible for all consultant fees during the review of this application including legal, engineering, or other outside consultants. Applications submitted to the Town of Canandaigua Planning Board will normally receive chargeback fees of at least five hours to ten hours for planning services including intake, project review, resolution preparation, SEQR, and findings of fact. PLEASE NOTE that the number of hours will be SIGNIFICANTLY INCREASED due to incomplete applications, plans lacking detail, or repeated continuations. Subdivision applications and larger commercial or industrial projects traditionally require more hours of engineering, legal, and other consultant review and preparation and will incur higher costs. Applications for new construction may be referred to the Town Engineer for engineering review which may include at least an additional eight to twelve hours of review time. The **Property Owner** will also be responsible for legal fees for applications submitted to the Town of Canandaigua Planning Board, Zoning Board of Appeals, or the Town of Canandaigua Development Office. Fees for engineering and legal expenses traditionally range between one hundred and one hundred fifty dollars per hour. A copy of the Town's annual fee schedule is available upon request from the Development Office or the Town Clerk's Office. The **Property Owner's** signature below indicates that the **Property Owner** understands that the **Property Owner** will be responsible for all outside consultant fees incurred as a result of the submitted application, and consents to these charges. Additionally projects approved by the Town of Canandaigua Planning Board may be required to pay a parks and recreation fee as established by the Town Board (currently \$1,000 per unit) if required as part of the conditions of approval.

Owner's Signature: _____

Steven A. Herz

Date: _____

4/8/20

SIGN HERE

All applications made to the Town for new uses or development will be reviewed for compliance to the Town of Canandaigua Code and Uniform Code. Additional information may be required by the Zoning Officer or Code Enforcement Officer to complete a review and issue permit.

**PLEASE INCLUDE APPLICABLE CONSTRUCTION PLANS
AND A SITE PLAN DETAILING THE PROPOSED PROJECT.**

The undersigned represents and agrees as a condition to the issuance of this permit that the development will be accomplished in accordance with the Town Zoning Law, the New York State Uniform Fire Prevention and Building Code, and the plans and specifications annexed hereto.

Owner's Signature: Kevin A. Wynn Date: 4/8/20  SIGN HERE

Owner's Signature: _____ Date: _____

PERMIT WILL NOT BE ISSUED WITHOUT PROPERTY OWNER(S) SIGNATURE.

Please **DO NOT** send payment with this application.
Payment shall not be made until the fee is determined and the permit is issued.

For Office Use Only

Application requires review by Planning Board and/or Zoning Board of Appeals?

YES **NO**

Application has been reviewed by Planning Board and all approval(s) required have been granted?

N/A **YES** **NO** Approval Date: _____

Application has been reviewed by Zoning Board and all variances(s) required have been granted?

N/A **YES** **NO** Approval Date: _____

Zoning Officer

Date

Floodplain Development Permit Required?

YES **NO**

Flood Hazard Area: _____ FEMA FIRM Panel # _____

Within environmentally sensitive, open, deed restricted or conservation easement area?

YES **NO**

Comments: _____

Permit Application Approved?

YES **NO**

Code Enforcement Officer

Date

Permit Issued	Permit Number	Fee
Building Permit Fee		
Soil Erosion Permit Fee		
Recreation Fee		
Total Permit	(non-refundable)	

Short Environmental Assessment Form

Part 1 - Project Information

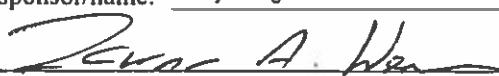
Instructions for Completing

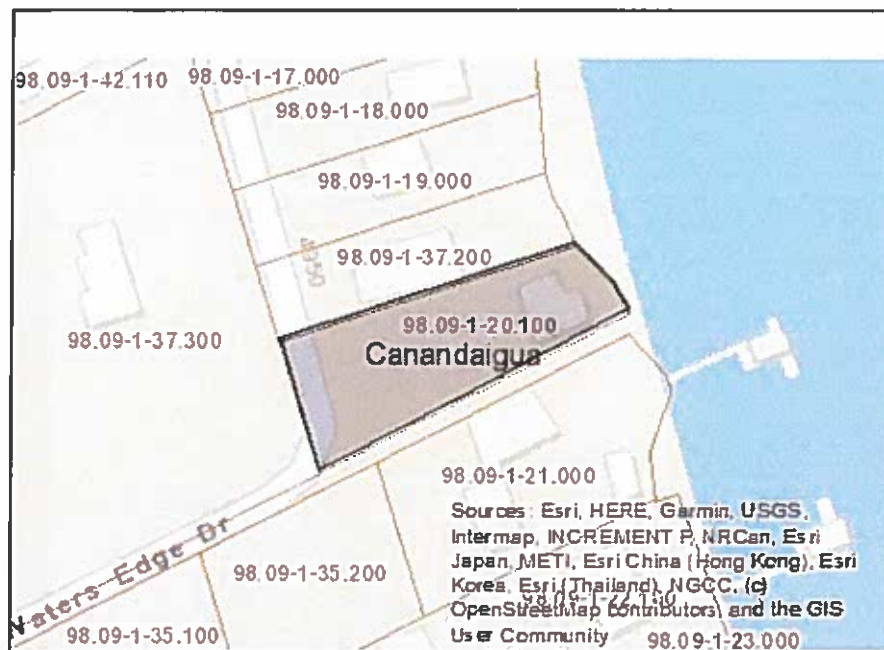
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: New Single-Family Residence			
Project Location (describe, and attach a location map): 4963 Waters Edge Dr. (TM# 98.09-1-20.100)			
Brief Description of Proposed Action: This project consists of construction of a new 2,500 square foot single-family residence. Site improvements include grading, utilities and driveway.			
Name of Applicant or Sponsor: Larry Werges		Telephone: 585-370-2326 E-Mail: lwerges@fingertakescoffee.com	
Address: 5265 Old West Lake Rd.			
City/PO: Canandaigua		State: NY	Zip Code: 14424
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<div>0.31 acres</div> <div>0.3 acres</div> <div>0.332 acres</div>	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
Will meet state energy code. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? </div> If Yes, briefly describe:	NO <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Larry Werges</u> Date: <u>04/01/2020</u> Signature: <u></u> Title: <u>Owner</u> <div style="float: right; border-left: 1px solid black; padding-left: 10px; margin-top: -20px;">SIGN HERE</div>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

Phone: (585) 394-1120 / Fax: (585) 394-9476

ZONING BOARD OF APPEALS REQUIRED PAPERWORK FOR APPLICATION SUBMITTAL

Area Variance Application

- | | |
|--------------|---|
| <u> X </u> | Variance Application (Zoning Board of Appeals) |
| <u> X </u> | Description of documents which would support a determination that it is practically difficult for you to conform to the dimensional requirements of the zoning law (Tests for Granting Area Variances). |
| <u> X </u> | Map showing size and location of all existing and proposed structures, including lot width, lot area, setback dimensions and computations of percentage of lot coverage. (See attached Sketch Plan Checklist) Projects over 1,000 square feet will require a professionally prepared site plan. |
| <u> X </u> | Front elevation or view of proposed structure showing the height measured from the average finished grade. |
| <u> X </u> | Property owner signatures on all application forms and checklists |

**You must submit the original application and attachments / survey map / site plan.
Contact the Zoning Officer to determine which additional building/sign permit application is
required to be submitted with this application.
Additional copies of the site plan, etc. will be requested after the Planning Review Committee
(PRC) has reviewed your application.**

FEES:

1. The \$100 application fee is required upon submission of the application. This fee is non-refundable. A separate, additional fee will be rendered for the building permit.
2. Building permit fees vary – the fee will be determined by the Town Code Enforcement Officer.
3. The property owner is responsible for reimbursement of any Town Engineer and/or Town Attorney fees incurred during application review.

Town of Canandaigua

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CPN #: _____

ZONING BOARD OF APPEALS APPLICATION

FOR: ☒ AREA VARIANCE ☐ USE VARIANCE ☐ INTERPRETATION

Permission for on-site inspection for those reviewing application: _____ Yes _____ No

1. Name and address of the property owner: Larry Werges
5265 Old West Lake Rd. Canandaigua, NY 14424

Telephone Number of property owner: 585-370-2326

Fax # _____ E-Mail Address: lwerges@fingerlakescoffee.com

****If you provide your e-mail address, this will be the primary way we contact you****

2. Name and Address of Applicant *if not the property owner*: Marks Engineering, P.C.
42 Beeman St. Canandaigua, NY 14424

Telephone Number of Applicant: 585-905-0360

Fax # _____ E-Mail Address: bmarks@marksengineering.com

****If you provide your e-mail address, this will be the primary way we contact you****

3. Subject Property Address: 4963 Waters Edge Drive

Nearest Road Intersection: Waters Edge Drive & County Rd. 16

Tax Map Number: 98.09-1-20.100 Zoning District: RLD

4. Is the subject property within 500' of a State or County Road or Town Boundary? (If yes, the Town may be required to refer your application to the Ontario County Planning Board.)

Please circle one:

YES

NO

5. Is the subject property within 500' of an Agricultural District? (If yes, an Agricultural Data Statement must be completed and submitted with this application – for use variance applications only.)

Please circle one:

YES

NO

(Continued on back)

6. What is your proposed new project and the variance(s) or interpretation requested?
Requests a 5.17% building coverage from 20% required for the construction of a new residence with 25.17% building coverage.
-
7. Have the necessary building permit applications been included with this form? If not, please verify with the Development Office which forms are required to be submitted.
8. With your completed application for an Area Variance, attach a tape map/survey/site plan, elevation of the proposed structure, and other documentation necessary describing the requested variance(s) illustrating why it is practically difficult for you to conform to the Zoning Law.
- All maps, surveys, or site plans shall accurately depict the property including all existing and proposed structures, setbacks, and dimensions. *All dimensions must be precise.*
9. With your completed application for a Use Variance, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you feel this use variance is necessary, and a completed Environmental Assessment Form.
10. With your completed application for an Interpretation, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you are appealing the zoning law determination, and a copy of the zoning law determination of which said appeal is requested.
11. If the variance requested is related to signs, attach a Sign Detail Sheet, a site plan, and colored renderings of the proposed signage, and any other documentation required in Article IX (Sign Regulations) of the Town of Canandaigua Zoning Law.

I have examined this application and declare that it is true, correct, and complete. I understand that my application and all supporting documentation will be examined by the Zoning Board of Appeals as an integral component of deliberations.

I hereby grant my designee permission to represent me during the application process.


(Signature of Property Owner)


4/8/20 
(Date)

Town of Canandaigua

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

***Property Owner is responsible for any consultant fees
(Town Engineer, Town Attorney, etc.) incurred during the application process.***

Please note that the **Property Owner** is responsible for all consultant fees during the review of this application including legal, engineering, or other outside consultants. Applications submitted to the Town of Canandaigua Planning Board will normally receive chargeback fees of at least five hours to ten hours for planning services including intake, project review, resolution preparation, SEQR, and findings of fact. PLEASE NOTE that the number of hours will be SIGNIFICANTLY INCREASED due to incomplete applications, plans lacking detail, or repeated continuations. Subdivision applications and larger commercial or industrial projects traditionally require more hours of engineering, legal, and other consultant review and preparation and will incur higher costs. Applications for new construction may be referred to the Town Engineer for engineering review which may include at least an additional eight to twelve hours of review time. The **Property Owner** will also be responsible for legal fees for applications submitted to the Town of Canandaigua Planning Board, Zoning Board of Appeals, or the Town of Canandaigua Development Office. Fees for engineering and legal expenses traditionally range between one hundred and one hundred fifty dollars per hour. A copy of the Town's annual fee schedule is available upon request from the Development Office or the Town Clerk's Office. The **Property Owner's** signature below indicates that the **Property Owner** understands that the **Property Owner** will be responsible for all outside consultant fees incurred as a result of the submitted application, and consents to these charges. Additionally projects approved by the Town of Canandaigua Planning Board may be required to pay a parks and recreation fee as established by the Town Board (currently \$ 1,000 per unit) if required as part of the conditions of approval.


(property owner)

(property owner)

SIGN HERE

TESTS FOR GRANTING AREA VARIANCES

BE VERY SPECIFIC WHEN ANSWERING THESE QUESTIONS

"Area variance" shall mean the authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.
(Town Law Section 267, subsection 1.(b)).

In deciding whether to grant an area variance, the Zoning Board of Appeals takes into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community. (Town Law Section 267-b, subsection 3.(b)).

To enable the Zoning Board of Appeals to grant an area variance, the applicant must present substantial evidence concerning the following topics by providing supporting evidence for each. Attach additional sheets if necessary.

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

No, The new residential building is similar in size and coverage as the two
neighboring properties to the north.

- (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

No, the pre-existing lot does not permit the proposed structure of this size to
meeting the maximum coverage allowed.

- (3) Whether the requested area variance is substantial.

No, the variance requested is less than 30% of the required minimum.

- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No, the proposed structure and coverage is consistent with the all the properties
on Waters Edge Drive and Island Beach Drive.

- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the area variance.

Yes, the owner requests to tear-down and construct a new residence on this
lot.

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

Phone: (585) 394-1120 / Fax: (585) 394-9476

CPN #: _____

Sketch Plan Checklist

Applicant: Marks Engineering, P.C. (for Larry Werges)

Project Address: 4963 Waters Edge Drive

Tax Map #: 98.09-1-20.100

Zoning District: RLD

Project Description Narrative: Construction of a new 2,500 square foot single-family residence.

Sketch Plan Checklist – Chapter 220 §220-66 (Not required for any property in a major subdivision)	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
A. The sketch plan shall be clearly designated as such and shall identify all existing and proposed:			
1) Zoning classification and required setbacks.	y		
2) Lot lines.			
3) Land features including environmentally sensitive features identified on the NRI. (woods, streams, steep slopes, wetlands)			
4) Land use(s). (residential, agricultural, commercial, or industrial)			
5) Utilities. (i.e. location of electric, gas, well, septic, sewer, cable)*			
6) Development including buildings, pavement and other improvements including setbacks.			
7) Location and nature of all existing easements, deed restrictions and other encumbrances.			
B. Sketch plans shall be drawn to scale.			
C. It is the responsibility of the applicant to provide a sketch plan that depicts a reasoned and viable proposal for development of the lot.	↓		

I have reviewed my submitted application and drawings against the above noted criteria and hereby certify that the submitted application matches this check list.

Larry D. Werges
Signature of Applicant / Representative

4/8/20
Date

SIGN HERE

*May be obtained from UFPO – dial 811 for assistance.

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ZONING BOARD OF APPEALS REQUIRED PAPERWORK FOR APPLICATION SUBMITTAL

Area Variance Application

- x Variance Application (Zoning Board of Appeals)
- x Description of documents which would support a determination that it is practically difficult for you to conform to the dimensional requirements of the zoning law (Tests for Granting Area Variances).
- x Map showing size and location of all existing and proposed structures, including lot width, lot area, setback dimensions and computations of percentage of lot coverage. (See attached Sketch Plan Checklist) Projects over 1,000 square feet will require a professionally prepared site plan.
- x Front elevation or view of proposed structure showing the height measured from the average finished grade.
- x Property owner signatures on all application forms and checklists

**You must submit the original application and attachments / survey map / site plan.
Contact the Zoning Officer to determine which additional building/sign permit application is
required to be submitted with this application.
Additional copies of the site plan, etc. will be requested after the Planning Review Committee
(PRC) has reviewed your application.**

FEES:

1. The \$100 application fee is required upon submission of the application. This fee is non-refundable. A separate, additional fee will be rendered for the building permit.
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Permission for on-site inspection for those reviewing application: _____ Yes _____ No

1. Name and address of the property owner: Larry Werges
5265 Old West Lake Rd. Canandaigua, NY 14424

Telephone Number of property owner: 585-370-2326

Fax # _____ E-Mail Address: lwerges@fingerlakescoffee.com

****If you provide your e-mail address, this will be the primary way we contact you****

2. Name and Address of Applicant *if not the property owner*: Marks Engineering, P.C.
42 Beeman St. Canandaigua, NY 14424

Telephone Number of Applicant: 585-905-0360

Fax # _____ E-Mail Address: bmarks@marksengineering.com

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3. Subject Property Address: 4963 Waters Edge Drive

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Tax Map Number: 98.09-1-20.100 Zoning District: RLD

4. Is the subject property within 500' of a State or County Road or Town Boundary? (If yes, the Town may be required to refer your application to the Ontario County Planning Board.)

Please circle one:

YES

NO

5. Is the subject property within 500' of an Agricultural District? (If yes, an Agricultural Data Statement must be completed and submitted with this application – for use variance applications only.)

Please circle one:

YES

NO

(Continued on back)

6. What is your proposed new project and the variance(s) or interpretation requested?
Request a 15' front setback variance from 55 feet required to construct
a new residence 35 feet from the right of way.

7. Have the necessary building permit applications been included with this form? If not, please verify with the Development Office which forms are required to be submitted.
8. With your completed application for an Area Variance, attach a tape map/survey/site plan, elevation of the proposed structure, and other documentation necessary describing the requested variance(s) illustrating why it is practically difficult for you to conform to the Zoning Law.

All maps, surveys, or site plans shall accurately depict the property including all existing and proposed structures, setbacks, and dimensions. *All dimensions must be precise.*

9. With your completed application for a Use Variance, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you feel this use variance is necessary, and a completed Environmental Assessment Form.
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11. If the variance requested is related to signs, attach a Sign Detail Sheet, a site plan, and colored renderings of the proposed signage, and any other documentation required in Article IX (Sign Regulations) of the Town of Canandaigua Zoning Law.

I have examined this application and declare that it is true, correct, and complete. I understand that my application and all supporting documentation will be examined by the Zoning Board of Appeals as an integral component of deliberations.

I hereby grant my designee permission to represent me during the application process.


(Signature of Property Owner)


(Date)

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(property owner)

(property owner)

SIGN HERE

TESTS FOR GRANTING AREA VARIANCES

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(Town Law Section 267, subsection 1.(b)).

In deciding whether to grant an area variance, the Zoning Board of Appeals takes into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community. (Town Law Section 267-b, subsection 3.(b)).

To enable the Zoning Board of Appeals to grant an area variance, the applicant must present substantial evidence concerning the following topics by providing supporting evidence for each. Attach additional sheets if necessary.

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

No, the requested setback is consistent with the neighboring properties to the north. The request is a result of moving the house back to align the lake side of the house with the neighbors on the north and south.

- (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

No, the ^{applicant} ~~application~~ wants to construct a modest house on this lot and align the front of the house with the neighbors at the north and south sides.

- (3) Whether the requested area variance is substantial.

No, the variance request is less than 50% of the minimum required.

- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No, the variance will have a beneficial affect on the environment and the neighbors allowing to align the houses and further setback the structure from the lake.

- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the area variance.

Yes, the owner wishes to tear down the structure and re-build further away from the lake.

Town of Canandaigua

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Canandaigua, NY 14424
Phone: (585) 394-1120 / Fax: (585) 394-9476

CPN #: _____

Sketch Plan Checklist

Applicant: Marks Engineering, P.C. (for Larry Werges)

Project Address: 4963 Waters Edge Drive

Tax Map #: 98.09-1-20.100 Zoning District: RLD

Project Description Narrative: Construction of a new 2,500 square foot single-family residence.

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A. The sketch plan shall be clearly designated as such and shall identify all existing and proposed:			
1) Zoning classification and required setbacks.	y		
2) Lot lines.			
3) Land features including environmentally sensitive features identified on the NRI. (woods, streams, steep slopes, wetlands)			
4) Land use(s). (residential, agricultural, commercial, or industrial)			
5) Utilities. (i.e. location of electric, gas, well, septic, sewer, cable)*			
6) Development including buildings, pavement and other improvements including setbacks.			
7) Location and nature of all existing easements, deed restrictions and other encumbrances.			
B. Sketch plans shall be drawn to scale.			
C. It is the responsibility of the applicant to provide a sketch plan that depicts a reasoned and viable proposal for development of the lot.	↓		

I have reviewed my submitted application and drawings against the above noted criteria and hereby certify that the submitted application matches this check list.



Signature of Applicant / Representative

4/8/12
Date

 **SIGN HERE**

*May be obtained from UFPO – dial 811 for assistance.

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

ZONING BOARD OF APPEALS REQUIRED PAPERWORK FOR APPLICATION SUBMITTAL

Area Variance Application

- | | |
|---|---|
| <input checked="" type="checkbox"/>
<hr style="width: 50px; margin-top: 10px;"/> | Variance Application (Zoning Board of Appeals) |
| <input checked="" type="checkbox"/>
<hr style="width: 50px; margin-top: 10px;"/> | Description of documents which would support a determination that it is practically difficult for you to conform to the dimensional requirements of the zoning law (Tests for Granting Area Variances). |
| <input checked="" type="checkbox"/>
<hr style="width: 50px; margin-top: 10px;"/> | Map showing size and location of all existing and proposed structures, including lot width, lot area, setback dimensions and computations of percentage of lot coverage. (See attached Sketch Plan Checklist) Projects over 1,000 square feet will require a professionally prepared site plan. |
| <input checked="" type="checkbox"/>
<hr style="width: 50px; margin-top: 10px;"/> | Front elevation or view of proposed structure showing the height measured from the average finished grade. |
| <input checked="" type="checkbox"/>
<hr style="width: 50px; margin-top: 10px;"/> | Property owner signatures on all application forms and checklists |

**You must submit the original application and attachments / survey map / site plan.
Contact the Zoning Officer to determine which additional building/sign permit application is required to be submitted with this application.
Additional copies of the site plan, etc. will be requested after the Planning Review Committee (PRC) has reviewed your application.**

FEES:

1. The \$100 application fee is required upon submission of the application. This fee is non-refundable. A separate, additional fee will be rendered for the building permit.
2. Building permit fees vary – the fee will be determined by the Town Code Enforcement Officer.
3. The property owner is responsible for reimbursement of any Town Engineer and/or Town Attorney fees incurred during application review.

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CPN #: _____

ZONING BOARD OF APPEALS APPLICATION

FOR: ☒ AREA VARIANCE ☐ USE VARIANCE ☐ INTERPRETATION

Permission for on-site inspection for those reviewing application: _____ Yes _____ No

1. Name and address of the property owner: Larry Werges
5265 Old West Lake Rd. Canandaigua, NY 14424

Telephone Number of property owner: 585-370-2326

Fax # _____ E-Mail Address: lwerges@fingerlakescoffee.com

****If you provide your e-mail address, this will be the primary way we contact you****

2. Name and Address of Applicant *if not the property owner*: Marks Engineering, P.C.
42 Beeman St. Canandaigua, NY 14424

Telephone Number of Applicant: 585-905-0360

Fax # _____ E-Mail Address: bmarks@marksengineering.com

****If you provide your e-mail address, this will be the primary way we contact you****

3. Subject Property Address: 4963 Waters Edge Drive

Nearest Road Intersection: Waters Edge Drive & County Rd. 16

Tax Map Number: 98.09-1-20.100 Zoning District: RLD

4. Is the subject property within 500' of a State or County Road or Town Boundary? (If yes, the Town may be required to refer your application to the Ontario County Planning Board.)

Please circle one:

YES

NO

5. Is the subject property within 500' of an Agricultural District? (If yes, an Agricultural Data Statement must be completed and submitted with this application – for use variance applications only.)

Please circle one:

YES

NO

(Continued on back)

6. What is your proposed new project and the variance(s) or interpretation requested?
Request an 16.53% variance from the 30% required for the construction
of a new residence and driveway with 46.53% coverage.
-
7. Have the necessary building permit applications been included with this form? If not, please verify with the Development Office which forms are required to be submitted.
8. With your completed application for an Area Variance, attach a tape map/survey/site plan, elevation of the proposed structure, and other documentation necessary describing the requested variance(s) illustrating why it is practically difficult for you to conform to the Zoning Law.
- All maps, surveys, or site plans shall accurately depict the property including all existing and proposed structures, setbacks, and dimensions. *All dimensions must be precise.*
9. With your completed application for a Use Variance, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you feel this use variance is necessary, and a completed Environmental Assessment Form.
10. With your completed application for an Interpretation, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you are appealing the zoning law determination, and a copy of the zoning law determination of which said appeal is requested.
11. If the variance requested is related to signs, attach a Sign Detail Sheet, a site plan, and colored renderings of the proposed signage, and any other documentation required in Article IX (Sign Regulations) of the Town of Canandaigua Zoning Law.

I have examined this application and declare that it is true, correct, and complete. I understand that my application and all supporting documentation will be examined by the Zoning Board of Appeals as an integral component of deliberations.

I hereby grant my designee permission to represent me during the application process.


(Signature of Property Owner)


(Date)



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***Property Owner is responsible for any consultant fees
(Town Engineer, Town Attorney, etc.) incurred during the application process.***

Please note that the **Property Owner** is responsible for all consultant fees during the review of this application including legal, engineering, or other outside consultants. Applications submitted to the Town of Canandaigua Planning Board will normally receive chargeback fees of at least five hours to ten hours for planning services including intake, project review, resolution preparation, SEQR, and findings of fact. PLEASE NOTE that the number of hours will be SIGNIFICANTLY INCREASED due to incomplete applications, plans lacking detail, or repeated continuations. Subdivision applications and larger commercial or industrial projects traditionally require more hours of engineering, legal, and other consultant review and preparation and will incur higher costs. Applications for new construction may be referred to the Town Engineer for engineering review which may include at least an additional eight to twelve hours of review time. The **Property Owner** will also be responsible for legal fees for applications submitted to the Town of Canandaigua Planning Board, Zoning Board of Appeals, or the Town of Canandaigua Development Office. Fees for engineering and legal expenses traditionally range between one hundred and one hundred fifty dollars per hour. A copy of the Town's annual fee schedule is available upon request from the Development Office or the Town Clerk's Office. The **Property Owner's** signature below indicates that the **Property Owner** understands that the **Property Owner** will be responsible for all outside consultant fees incurred as a result of the submitted application, and consents to these charges. Additionally projects approved by the Town of Canandaigua Planning Board may be required to pay a parks and recreation fee as established by the Town Board (currently \$ 1,000 per unit) if required as part of the conditions of approval.


(property owner)

(property owner)

SIGN HERE

TESTS FOR GRANTING AREA VARIANCES

BE VERY SPECIFIC WHEN ANSWERING THESE QUESTIONS

"Area variance" shall mean the authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.
(Town Law Section 267, subsection 1.(b)).

In deciding whether to grant an area variance, the Zoning Board of Appeals takes into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community. (Town Law Section 267-b, subsection 3.(b)).

To enable the Zoning Board of Appeals to grant an area variance, the applicant must present substantial evidence concerning the following topics by providing supporting evidence for each. Attach additional sheets if necessary.

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

No, the neighborhood ^{has} ~~has~~ several properties similar to this one that has over 50% lot coverage.

- (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

No, the owner requests a modest house and driveway to be located on this lot. This size house is consistent with the neighborhood and the use of the property.

- (3) Whether the requested area variance is substantial.

No, this is not a substantial coverage for the surrounding neighborhood.

- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No, the proposed property is consistent with the neighboring properties.

- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the area variance.

Yes, the owner wishes to replace the dilapidated structure with a new structure of modest size.

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CPN #: _____

Sketch Plan Checklist

Applicant: Marks Engineering, P.C. (for Larry Werges)

Project Address: 4963 Waters Edge Drive

Tax Map #: 98.09-1-20.100

Zoning District: RLD

Project Description Narrative: Construction of a new 2,500 square foot single-family residence.

Sketch Plan Checklist – Chapter 220 §220-66 (Not required for any property in a major subdivision)	Shown on Plan by Applicant	Initial PRC Review	PRC Follow Up Review
A. The sketch plan shall be clearly designated as such and shall identify all existing and proposed:			
1) Zoning classification and required setbacks.	y		
2) Lot lines.			
3) Land features including environmentally sensitive features identified on the NRI. (woods, streams, steep slopes, wetlands)			
4) Land use(s). (residential, agricultural, commercial, or industrial)			
5) Utilities. (i.e. location of electric, gas, well, septic, sewer, cable)*			
6) Development including buildings, pavement and other improvements including setbacks.			
7) Location and nature of all existing easements, deed restrictions and other encumbrances.			
B. Sketch plans shall be drawn to scale.			
C. It is the responsibility of the applicant to provide a sketch plan that depicts a reasoned and viable proposal for development of the lot.	↓		

I have reviewed my submitted application and drawings against the above noted criteria and hereby certify that the submitted application matches this check list.


Signature of Applicant / Representative

4/8/20
Date

SIGN HERE

*May be obtained from UFPO – dial 811 for assistance.