

71 - 2021	Town of Canandaigua Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	McMahon-LaRue	
Property Owner:	Futerman, Eli and Peggy	
Tax Map No(s):	140.14-1-21.000	
Brief Description:	Six area variances for replacement of seasonal cottage with new home at 4799 CR 16 in the Town of Canandaigua. Variances required for 7' house side setback when 10' is required, 25' lake setback when 30' is required, 2' detached garage side setback when 10' is required, 13' shed lake setback when 15' is required, 35% lot coverage when 30 percent is allowed, and a minor shed side setback variance. https://www.co.ontario.ny.us/DocumentCenter/View/28433/71-2021-CR-16-4799-2021-03-19-Site-Plan	

Policy AR 5 Applications involving one single family residential site, including home occupations.

Part B Development of Lakefront Parcels.

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.
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 body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
3. 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.

72 - 2021	Town of Canandaigua Planning Board	Exempt
Referral Type:	Site Plan	
Applicant:	Venezia Associates	
Property Owner:	Chuck & Kate Vasilius	
Tax Map No(s):	98.13-1-16.110	

Brief Description:	Site plan and area variance for new home at 3439 West Lake Boulevard off CR 16 south of Bedford Road in the Town of Canandaigua. Variances required for development 34' from stream when 100' setback is required.
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72.1 - 2021	Town of Canandaigua Planning Board	Class: AR 1
Referral Type:	Area Variance	
Applicant:	Venezia Associates	
Property Owner:	Chuck & Kate Vasilius	
Tax Map No(s):	98.13-1-16.110	
Brief Description:	Site plan and area variance for new home at 3439 West Lake Boulevard off CR 16 south of Bedford Road in the Town of Canandaigua. Variances required for development 34' from stream when 100' setback is required. https://www.co.ontario.ny.us/DocumentCenter/View/28435/72-2020-West-Lake-Blvd-2021-03-22-Site-Plan	

The down spouts for the proposed home are connected to infiltration trenches. There are also 6 drywells, 3 on each side, and a 500 SF rain garden on the south side of the house. The application materials indicate replacement of channelized swale with riparian bio-swale, however, no details are provided.

AR Policy 5 C. Applications subject to policy AR-5 and not involving lakefront lots with coverage, or side or lakefront setback variances or with encroachments on County right-of-ways.

Final Classification: Class 1

Findings:

1. One-and two-family residential uses represent 63% of the 49,354 parcels on the 2017 Ontario County assessment roll. Between 2012 and 2017 1,067 single family residential parcels were added and 13 two-family were removed. These parcels represent 89% of all parcels added county-wide.
2. Collectively individual residential developments have significant impacts on surface and ground water.
3. Proper design of on-site sewage disposal is needed to protect ground and surface waters.
4. Proper storm water and erosion control is also needed to achieve that same end.
5. Proper sight distance at access points along County roads is an important public safety issue of county wide significance.
6. Standards related to protecting water quality and traffic safety have been established by agencies such as the American Association of State Highway and Transportation Officials (AASHTO), and NYSED.
7. These issues can be addressed by consulting appropriate agencies during local review and ensuring that those standards are met.

Final Recommendation – With the exception of applications involving lakefront properties or encroachments to County owned right-of-ways described in AR Policy 5 Parts A and B, the CPB will make no formal recommendation to deny or approve applications involving one single family residential site, including home occupations.

Comments

1. The Town is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
3. The applicant and referring agency are strongly encouraged to involve the Canandaigua Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
4. Plan not included in plan set and no detail is provided for the proposed gabion block wall along the stream channel between proposed homes at 3439 and 3443 (referral 66.1-2021) West Lake Boulevard.

CLCSD Comment Renovation permit required.