

Kyle Ritts

From: Michael Priestman <michaelbpriestman@gmail.com>
Sent: Friday, January 03, 2020 11:34 AM
To: Kyle Ritts
Subject: Re: Application Materials Needed for 4991 Wyffels Rd.

No construction required.

On Fri, Jan 3, 2020 at 11:15 AM Kyle Ritts <kritt@townofcanandaigua.org> wrote:

Hi Michael,

I just wanted to email you to let you know what application materials are still required in order to meet the **1/10/2020 application deadline**. I believe we gave most/all of these forms to you in our meeting last week, but just in case they are all attached:

- **Special Use Permit Application**- We received this on 1/2/2020 but it looks like a couple pages are missing. You handed in the first two pages, but there is a 3rd page that requires the owner's signature on it as well. The Special Use Permit is attached, we just need the signature that is on that 3rd page.
- **Waiver Request Form**- This is needed so you can use the "Driveway Configuration" sketch I created, in lieu of a professionally prepared sketch plan.
- **Short Environmental Assessment Form**
- **Statement of Operations Letter**- You have already submitted this to us but I have a couple questions/comments:
 - In the section titled "Detailed description of your proposed business" (in the last paragraph of that section specifically), the approximate square footage of the driveway/parking area should be included. There is a good chance this information will be requested by the Planning Board, so you might as well include it now. I did the math, and the parking area is approximately 1,775 sq. ft., 800 sq. ft. of which will be taken up by the 4 parking spots (4, 20' x 10' parking spots). Just add this underlined portion to the letter and that should be sufficient for this section.
 - The letter you submitted also states that 500 sq. ft. of the basement will be used for the practice. Town Code States, "A major home occupation located within the principal dwelling unit may not exceed 25% of the total gross floor area, or 500 square feet of the principal dwelling unit" [Section 220-59B(6)]. According to the Town Assessor, the house is 1,645 sq. ft., so the maximum allowed space designated to the major home occupation cannot exceed **417.8 sq. ft.** (25% of total gross floor area). The Planning Board can waive this requirement, so if you'd like to exceed this 417.8 sq. ft., and go up to the 500 sq. ft., you would just have to **submit another waiver request form** (same form as referred to in the

second bullet). Or if you think the 417.8 sq. ft. is enough space, just edit the letter to reflect this change.

- Last, I looked at the assessor's information and it says the finished basement is only 180 sq. ft., where in the letter you state that you are using 500 sq. ft. of the basement. Are you planning on expanding the basement (if so you need to fill out a **building permit**-attached. FYI: Owner's signatures are required on pg. 4 and 5 of this document)? Let me know what you think.
- Everything else on the letter looks good to me!

I know there's a lot of information here so if you have any questions, feel free to give me a call/email,

Kyle Ritts

Zoning Inspector

Town of Canandaigua

(585)-394-1120 x2221

kritts@townofcanandaigua.org

Kyle Ritts

From: Kyle Ritts <kritts@townofcanandaigua.org>
Sent: Friday, January 03, 2020 11:45 AM
To: 'Michael Priestman'
Cc: 'Development Clerk'; 'ecooper@townofcanandaigua.org'
Subject: RE: Application Materials Needed for 4991 Wyffels Rd.

Hi Michael,

Sounds good, the assessors information must be out-of-date. Just so you are aware, once the permit process is complete, an inspection will need to be set up with one of our code enforcement officers to confirm the basement square footage. You don't have to worry about that at this time though.

And since no work is being done (nothing is being built), ignore the building permit section.

Just make sure you have all the information (stated in the previous email) submitted by the **1/10/2020 deadline**.

Have a nice day,

Kyle Ritts
Zoning Inspector
Town of Canandaigua
(585)-394-1120 x2221
kritts@townofcanandaigua.org

From: Michael Priestman [mailto:michaelpriestman@gmail.com]
Sent: Friday, January 03, 2020 11:27 AM
To: Kyle Ritts <kritts@townofcanandaigua.org>
Cc: Development Clerk <devclerk@townofcanandaigua.org>; ecooper@townofcanandaigua.org
Subject: Re: Application Materials Needed for 4991 Wyffels Rd.

Hi Kyle,

I will get this to you ASAP.

There's something wrong with the assessment, because the basement is full and mostly finished maybe 180 sq ft UNfinished.

Yes, we would like to go for 500 sq ft of usage.

Thanks, Michael

On Fri, Jan 3, 2020 at 11:15 AM Kyle Ritts <kritts@townofcanandaigua.org> wrote:

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Kyle Ritts

Zoning Inspector

Town of Canandaigua

(585)-394-1120 x2221

kritts@townofcanandaigua.org

Kyle Ritts

From: Kyle Ritts <kritts@townofcanandaigua.org>
Sent: Friday, January 03, 2020 2:00 PM
To: 'Michael Priestman'
Cc: 'Development Clerk'; 'ecooper@townofcanandaigua.org'
Subject: RE: Updated Special Use Permit

Michael,

Town Code does not specifically outline what is/isn't included as "major home occupation area", so the way I read it is that a **home office is not to be included in these calculations**. Since this area is used as a personal office, and there is no actual chiropractic equipment being used in it, **there is no reason to include the office/reception area in the "major home occupation area calculation"**.

So long story short, the only area that should be involved in this calculation is the area you wish to use in the basement (treatment rooms). So if you think this area will not exceed the limit (25% total floor area = 417.8 sq. ft.), then that additional waiver form request (mentioned in previous email) is not needed. On the other hand, if you would like to keep the area as 500 sq. ft., then that waiver request form would still be needed. Either way, let me know what you want to list as the "official" major home occupation square footage, so I can confirm (or update) it in the "Statement of Operations Letter".

Kyle Ritts
Zoning Inspector
Town of Canandaigua
(585)-394-1120 x2221
kritts@townofcanandaigua.org

From: Michael Priestman [mailto:michaelbpriestman@gmail.com]
Sent: Friday, January 03, 2020 12:58 PM
To: Kyle Ritts <kritts@townofcanandaigua.org>
Cc: Development Clerk <devclerk@townofcanandaigua.org>; ecooper@townofcanandaigua.org
Subject: Re: Updated Special Use Permit

In other words, the dedicated Chiropractic area, would definitely be under 500 ft.². Will this work?

On Fri, Jan 3, 2020 at 12:54 PM Michael Priestman <michaelbpriestman@gmail.com> wrote:

Great, thank you.

The entire basement is the same square footage as the main floor (~1200) The two rooms I am using as treatment rooms are about 3-400. The reception/office is what we would use as our personal, home office, but if you called it as part of the Home Practice, it might exceed 500 total. Can we call that our personal area?

Michael

On Fri, Jan 3, 2020 at 11:54 AM Kyle Ritts <kritts@townofcanandaigua.org> wrote:

Thank you. In terms of the "Statement of Operations Letter" portion of the application materials, we should have everything we need.

Kyle Ritts

Zoning Inspector

Town of Canandaigua

(585)-394-1120 x2221

kritts@townofcanandaigua.org

From: Michael Priestman [mailto:michaelbpriestman@gmail.com]

Sent: Friday, January 03, 2020 11:44 AM

To: Eric Cooper <ecooper@townofcanandaigua.org>; Kyle Ritts <Kritts@townofcanandaigua.org>

Subject: Fwd: Updated Special Use Permit

----- Forwarded message -----

From: **Michael Priestman** <michaelbpriestman@gmail.com>

Date: Mon, Dec 30, 2019 at 11:13 AM

Subject: Updated Special Use Permit

To: Eric Cooper <ecooper@townofcanandaigua.org>

4991 Wyfells Rd, Canandaigua, NY 14424

tax map # 322400-112-0001-020-300

Michael B Priestman/Tina Marie Smith

Detailed description of your proposed business

Chiropractic Office consisting of Dr Michael B Priestman and Tina Marie Smith/Office Manager who will be residing at said residence located at 4991 Wyfells Rd Canandaigua NY 14424.

Dr. Priestman has been in practice for thirty-three years, twenty-five in Canandaigua. Dr. Priestman previously had a home office across the street from the Canandaigua Town Offices at 5411 State Routes 5 +20, for five years, peacefully, and without incident.

We will be parking within our 3-car garage and 4 adjacent parking areas in front of garage that are within the 10 by 20-foot requirements. No alterations of the driveway are necessary. See attached **exhibit A**.

The parking area is approximately 1,775 sq. ft., 800 sq. ft. of which will be taken up by the 4 parking spots (4, 20' x 10' parking spots).

Statement of Operations:

Our business hours depend on scheduled appointments within our hours of operation:

Monday 2pm - 6pm

Tuesday 9am-12pm and 2pm-5pm

Wednesday 2pm-6pm

Thursday 9am-3pm

Friday 9am-12pm

Because we will be working while other people are working, not on in the evenings or on weekends, with minimal traffic, there will be no noise or evidence of the practice from the exterior, and no changes to the existing house or grounds, and since I was previously granted a permit for the same purposes, I respectfully ask that this board do so again.

Requirements for Special Use Permit Home Occupancy

220-59 Major Home Occupations

B.1-4 N/A

5) Tina Smith and Michael Priestman, as the prospective homeowners/residents are the sole employees.

6) We anticipate 500 sq.ft of the basement to be used for the practice.

7) N/A

8)a) The practice will be inside and generate no noise.

b) N/A

c) Vehicular traffic will be insignificant. An estimate by the Planning Department staff was that there might be 429 cars per day currently using Wyfells Road. We are likely to add approximately 15 per day on our busier days.

d) Parking is abundant with three places in the garage and four outside, for a total of seven (7).

|| e-h) N/A

Kyle Ritts

From: Kyle Ritts <kritts@townofcanandaigua.org>
Sent: Monday, January 06, 2020 9:01 AM
To: 'Michael Priestman'
Cc: 'Eric Cooper'; 'Development Clerk'
Subject: RE: Additional forms

Great, I'll update the Statement of Operations Letter to say, "We anticipate 280 sq. ft. of the basement to be used for the practice" [220-59B(6)].

Kyle Ritts
Zoning Inspector
Town of Canandaigua
(585)-394-1120 x2221
kritts@townofcanandaigua.org

From: Michael Priestman [mailto:michaelbpriestman@gmail.com]
Sent: Monday, January 06, 2020 8:41 AM
To: Kyle Ritts <kritts@townofcanandaigua.org>
Subject: Re: Additional forms

The engineer inspection is right now and I just measured the two rooms that are arguably "dedicated" to chiropractic. They total 280 sq ft. Yay! 😊

On Mon, Jan 6, 2020 at 8:14 AM Kyle Ritts <kritts@townofcanandaigua.org> wrote:

Sounds good, and no worries. We can help you with the application questions, I know some of them can be hard to answer.

Kyle Ritts
Zoning Inspector
Town of Canandaigua
(585)-394-1120 x2221
kritts@townofcanandaigua.org

From: Michael Priestman [mailto:michaelbpriestman@gmail.com]

Sent: Saturday, January 04, 2020 10:25 AM

To: Eric Cooper <ecooper@townofcanandaigua.org>; Kyle Ritts <Kritts@townofcanandaigua.org>; Michael Feldmeyer <mike@piersonrealtors.com>; Tina Smith <waterwaker315@yahoo.com>

Subject: Additional forms

Kyle,

I will measure the treatment rooms on Monday, at the Engineers inspection, and see if we need a waiver for the square footage.

Then I will bring in the one or two waivers and Environmental Assessment, and get some direction on the filling out of the forms (I find them daunting!) and pay any applicable fees.

Thank you for your generous help in this process.

Michael