

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ORDINANCE COMMITTEE

Monday, November 4, 2019 at 9:00 AM

Rev. 11/8/2019

MEETING REPORT

MEETING CALLED BY: GARY DAVIS

COMMITTEE MEMBERS: GARY DAVIS ERIC COOPER SARAH REYNOLDS
TOM SCHWARTZ

SECRETARY: ERIC COOPER

GUESTS: TERRY FENNELLY DOUG FINCH

PRIVILEGE OF THE FLOOR

COMMITTEE BUSINESS

- Canandaigua Country Club – Tier 3 Assignment
 - o Over the past two years, the Canandaigua Country Club has been working with the Town to go through the process of obtaining Tier 3 designation to allow the creation of more docks at their property on Fallbrook Park. The Development Office has recently been made aware that the Town Board in 2011 approved a resolution to designate the CC Zoning District as either Tier 2 or Tier 3.
 - o The Committee discussed the legality and standing of the 2011 Resolution. It was the understanding of the Committee that unless the resolution was superseded, that it is still in effect.
 - o The Committee worried about allowing docks setting a precedent among other surrounding communities. The Town is rightfully wary of the proliferation of docks and more boats on the water being detrimental to Lake health.
 - o Member Fennelly, the lone member remaining from the 2011 Board, provided context to the Town Board's decision in 2011. At the time, they felt that it was clear that the permitted uses of the CC district within the Town were either Tier 2 or Tier 3.
 - o Mr. Cooper made the Committee aware that these docks would still require Site Plan approval from the Town's Planning Board. At which point conditions could be placed on its approval.
 - The Committee questioned whether it could be based on ownership? No.
 - The Committee questioned whether the docks could be conditioned on it remaining a transient use with no overnight docking or leasing and no gas sales or pumping. Yes, these could be conditioned.
 - o The Committee was concerned about unintended consequences of these docks.
 - o The Committee questioned whether there was a need for 32 docks when their current docks were not perceived to receive much use.
 - o The Committee played through a hypothetical example of the impacts of the CCC were to become a hotel.

- Essentially there would be no impact as it is still considered transient. There being no changes in frontage, no additional docks would be allowed. Any proposed changes to the dockage would still require site plan approval.
 - The Committee directed Mr. Cooper to advise the applicant that the resolution was still effective and to make application to the Planning Board.
- Agricultural Enhancement Local Law
 - Mr. Cooper went through changes to the Agricultural Enhancement Local Law due to comments received and noted in the Ordinance Report of October 24.
 - Committee felt comfortable with the changes.
 - Approved to send out for review and schedule a Public Hearing on the Local Law.
- Zombie Code
 - Mr. Cooper briefly went through a few codes from around NYS and how they dealt with Zombie Properties, Vacant Properties, and Pre-Foreclosures.
 - The Committee was not supportive of much contained within those laws. Felt it was overly expansive regulation.
 - The Committee concluded to table it's reviews of Lawn Maintenance code.

Next Meeting: November 21, 2019 @ 9:00 am

- **To discuss:**
 - **Short Term Rentals**
 - **Lighting**
 - **RFP for Conservation Subdivision**

Adjournment @ 10:30 am