

# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

## ORDINANCE COMMITTEE

Monday November 2<sup>nd</sup>, 2020, at 9:00 AM

Rev. 12/23/2020

## MEETING REPORT

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<b>MEETING CALLED BY:</b>	<b>GARY DAVIS</b>		
<b>COMMITTEE MEMBERS:</b>	<b>GARY DAVIS</b>	<b>JOHN CASEY</b>	<b>CHUCK OYLER</b>
	<b>TOM SCHWARTZ</b>	<b>BOB HILLIARD</b>	
<b>SECRETARY:</b>	<b>ERIC COOPER</b>		
<b>GUESTS:</b>	<b>TERRY FENNELLY</b>	<b>DOUG FINCH</b>	<b>CHRIS JENSEN</b>

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### PRIVILEGE OF THE FLOOR

Chair Davis opened the meeting at 9am.

### COMMITTEE BUSINESS

- **Manufactured Homes**
  - o Mr. Cooper briefly introduced the changes recommended to the Local Law by the Ontario County Planning Board relating to potential discrimination issue as current Town Law restricts in which zoning district manufactured homes can be placed.
  - o Mr. Jensen further clarified that NYS DOS has required that manufactured homes be considered "Single Family Homes". As such, limiting them in such a way may not be allowed.
  - o Mr. Casey questioned whether we clarify the difference between mobile homes and manufactured homes. Mr. Jensen clarified that the terminology of "mobile homes" was changed in 1976. So the difference is when they were built.
  - o Mr. Jensen also provided background on how this Local Law came to be drafted. That a former employee of the DOS and current Manufactured Home Developer notified Chris Jensen of the deficiency in Town Code.
  - o Mr. Schwartz questioned why we even differentiate between the size of dwelling and the type of dwellings. Further he states, if we are worried about the foundation, we should regulate that. Mr. Jensen notes that we are working to clarify changes about aesthetic regulations. Beyond the skirting and foundation, Mr. Schwartz believes the remainder is discriminatory.
  - o Mr. Finch notes that much of our code is industry standards. He questions why we are even making changes. He is the fair housing officer for Town and was not contacted. Suggests just leaving it. Does not feel it is a priority issue.
  - o Mr. Hilliard notes we are regulating for a stereotype that does not accurately reflect the reality of manufactured homes today.
  - o Ordinance Committee decided to forgo other changes and move forward with original recommended changes for aesthetic standards.

- **Lighting**

- Mr. Cooper briefly introduced the Lighting Code and the complaint that brought up the desired changes. Mr. Jensen explained that a major issue with existing code is the subjective nature of determining a light is excessive or objectionable. The draft also contains changes to make other sections more easily readable.
- Mr. Casey asked a few questions regarding the draft:
  - On lighting for flag poles the Ordinance Committee felt it was appropriate to not exempt Flag Poles. As it reads, you would be allowed to have flag poles but would have to keep the lumens down.
  - On businesses shutting lights off after business hours. This section is in code currently. Signs and lighting are separate within Town Code.
  - On what lighting is considered “direct” lighting on water. Light shining directly onto water would be considered direct. Light which is placed above a dock but incidentally on the water is ok.
  - On apparent conflicts between lighting distance to shore, it allows people to light water for swimming and would also allow docks on lighting.
- Mr. Schwartz questioned whether all applications for Site Plan need a lighting plan and whether we grant waivers for lighting plans. The sections exist in code today and usually the Planning Board waives this requirement.
- Ordinance Committee moved to bring this draft to the Town Board.

- **Neighborhood Commercial**

- Mr. Cooper briefly reviewed that changes proposed for the Neighborhood Commercial Zoning District. He will provide a redline draft for the Committee.

**Upcoming Meetings:**

- **January 4<sup>th</sup>, 2020 @ 9:00 am** <https://us02web.zoom.us/j/85864213663>
  - **Neighborhood Commercial**
  - **Permeable Pavers**
  - **Fallbrook Park Zoning**

**Adjournment @ 10:00 am**