

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ORDINANCE COMMITTEE

Monday October 4, 2021, at 9:00 AM

Rev. 10/17/2021

MEETING REPORT

MEETING CALLED BY: GARY DAVIS

COMMITTEE MEMBERS: GARY DAVIS CHUCK OYLER TOM SCHWARTZ
JOHN CASEY

SECRETARY: KIMBERLY BURKARD

GUESTS: TERRY FENNELLY ROBIN EVANS

TOWN STAFF: DOUG FINCH SHAWNA BONSHAK

PRIVILEGE OF THE FLOOR

Mr. Davis opened the meeting at 9:04 am.

PRIVILEGE OF THE FLOOR

COMMITTEE BUSINESS

Secenic Viewshed Overlay District Draft

- Mr. Davis opened the discussion about the Scenic Viewshed Overlay (SVO) District draft created by Mr. Finch. The one-acre minimum lot size in the SVO draft would not allow the use of Conservation Subdivisions with a lot size smaller than one acre without a variance.
- SVO, Section D: *“Site Development Standards. To the extent possible, any subdivision of land in the SVO District shall not create a new lot unless all parcels are at least one acre in size, or the Planning Board finds a lessening of the degree of non-conformity for the combination of pre-existing non-conforming lots.”* Mr. Finch explained this item with an example: if someone buys two lots in the RLD and wants to do a lot line adjustment to combine them but they are still smaller than one acre, this section allows the Planning Board the authority to approve it. Without this section, the SVO would have disallowed that.
- SVO, Section D: *“To the extent possible, the Planning Board of the Town of Canandaigua shall be authorized to grant subdivision and development of land in the SVO District provided the following standards have been met:”* Mr. Finch noted that the one-acre minimum lot size is in this section. He also noted that a subdivision is a creation of a new lot.
- Mr. Oyler commented that if the developer applies for a variance that they could use the justification that they want to reduce the lot size so they can conserve more property on the lot and that approval for the Conservation Subdivisions would in a sense be moving from the Planning Board to the Zoning Board. He also questioned if there would be a

market for homes on one-acre lots because of the cost of such properties. Mr. Finch shared that the Town of Canandaigua issues 15-20 new single-family homes/year versus hundreds of permits issued for apartments, townhomes, and other similar types of things—which clearly identifies that the market is for the latter. He continued that this would essentially make it harder to build apartments or townhomes in the SVO. Mr. Oyler commented that this may discourage all development not just Conservation Subdivisions.

- Mr. Schwartz noted that from south of Wells Curtis Road, that there is very little sewer and water available. He also mentioned that the Southern Corridor Residential District is one of the locations the Town slated for growth and development. Mr. Finch added that the market is more interested in the Uptown area.
- Much of Lakewood Meadows is not in the SVO but RSM is. Riley’s Run is largely in the SVO but is mostly not visible from the Lake.
- The SVO draft is compliant with the first three Strategic Goals the Town has identified for 2022. It is also inline with the construction of roads/sidewalks/bike lanes as those will be constructed in the higher density areas. It would not support the creation of affordable housing goal.
- The Town of Canandaigua is a leader and sets precedent for the lakeside communities in terms of Lake and viewshed protection. The septic law is a good example.
- SVO, Section D-3: *“Development shall be located in a manner that maintains the existing landscape features to the greatest extent feasible by locating buildings on natural topography. Consideration should be given to blend the proposed development with the existing natural resources. The Planning Board shall consider and may require those elements identified in the Town of Canandaigua Ridgeline Development Guidelines or Shoreline Development Guidelines as part of the site development authorization.”* Mr. Schwartz suggested changing to first sentence to include some language of this nature: *“take advantage of the natural typography.”*
- Mr. Oyler made a motion to move the SVO draft forward. Seconded by Mr. Schwartz. Voice vote carries.

Review Comments on the Conservation Subdivision

- Mr. Davis introduced Ontario County’s responses on the Conservation Subdivision law. Mr. Finch clarified that the comments were a collection of all comments—example given where the comment was only one person’s opinion. Many of the suggestions appear to be word-smithing. There was a question as to if this review was even needed. The suggestion was made to table this until there was more free time in the Committee’s schedule and after the Conservation Subdivision has had a chance to be applied. The Committee will hold any action on these suggestions until a future date.

Other Business

- Mr. Finch noted that there may be a creation of local law for the Uptown Business Improvement District. There is some specific language that has to be included under General Municipal Laws as well as a district and a district plan. The Town Board would be the Board of Directors of the Uptown Business Improvement District. The Committee thought it would be better for one of the other committees, like Finance, to review that.

Upcoming Meetings:

October 20, 2021 @ 9:00 am
Adjournment @ 9:52 am