

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

ENVIRONMENTAL CONSERVATION BOARD MEETING AGENDA *Established November 4, 2009*

THURSDAY, APRIL 1, 2021, 4:30 P.M.
PREPARED 3/24/2021, REVISED 3/30/2021

*The meeting WILL NOT be held at the Town Hall.
The meeting will be conducted via Zoom.com Video Conference*

Topic: Environmental Conservation Board
Time: April 1, 2021 04:30 PM Eastern Time (US and Canada)

Every month on the First Thursday, until Jan 6, 2022, 12 occurrences:

- Mar 4, 2021 04:30 PM**
- Apr 1, 2021 04:30 PM**
- May 6, 2021 04:30 PM**
- Jun 3, 2021 04:30 PM**
- Jul 1, 2021 04:30 PM**
- Aug 5, 2021 04:30 PM**
- Sep 2, 2021 04:30 PM**
- Oct 7, 2021 04:30 PM**
- Nov 4, 2021 04:30 PM**
- Dec 2, 2021 04:30 PM**
- Jan 6, 2022 04:30 PM**

Please download and import the following iCalendar (.ics) files to your calendar system.

Monthly: <https://us02web.zoom.us/meeting/tZYqf-iurjMvHtJGye6Zd1HTSQgOjaSSJBQM/ics?icsToken=98tyKuGqqTMrHNSdtR2BRpwQB4qgd-7ziFxYgrd3uwbgVRpXMyvCBdNFHbh-I-v6>

Join Zoom Meeting
<https://us02web.zoom.us/j/82781608546>

Meeting ID: 827 8160 8546

One tap mobile:
+16465588656,,82781608546# US (New York)
+13017158592,,82781608546# US (Washington D.C)

Dial by your location:

- +1 646 558 8656 US (New York)
- +1 301 715 8592 US (Washington D.C.)
- +1 312 626 6799 US (Chicago)
- +1 669 900 9128 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 827 8160 8546

AGENDA

Meeting Called By: Jared Simpson, *Facilitator*

Board Members:	Justin Damann	Gary Kochersberger
	Edith Davey	Rocky Polimeni
	Saralinda Hooker	Pat Venezia
	One vacant position	

Recording Secretary: Kimberly Burkard

Guests:	Leif HerrGesell	Susan Shaw
	Darin Loy	

- a. Call to Order by the Facilitator
- b. Pledge of Allegiance
- c. Introduction of Guests by the Facilitator
- d. Continued Organizational Meeting—Per the adopted 2021 Rules of Procedure
 - 1. Election of the Vice-Chair
 - 2. Review of 2021 Meeting Schedule (if needed to accommodate new chairperson)
 - 3. The following resolution was acted upon by the Canandaigua Town Board on March 15, 2021:

RESOLUTION NO. 2021 - 069: APPOINTMENT OF TOWN BOARD MEMBER JARED SIMPSON AS FACILITATOR OF ENVIRONMENTAL CONSERVATION BOARD, DIRECTING TOWN MANAGER AND

TOWN ATTORNEY TO PREP ARE LOCAL LAW RELATING TO STRUCTURE OF ECB

WHEREAS, the Environmental Conservation Board (ECB) has been established by Local Law of the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') by Chapter 18 of the Town Code of the Town of Canandaigua; and

WHEREAS, the ECB has been operating without a Chairperson since January 1, 2021, with the Town Manager serving as the facilitator; and

WHEREAS, a vacancy exists on the ECB and not less than three individuals have expressed an interest in the position; and

WHEREAS, the Town Manager (Mr. Finch) and Town Board Member Jared Simpson (Mr. Simpson) have discussed the possibility of combining the Town of Canandaigua's Environmental Committee with the ECB; and

WHEREAS, Mr. Finch and Mr. Simpson discussed the proposal with the ECB on March 4, 2021, during which time the majority of the members of the ECB supported such a concept given so many topics overlap both the Environmental Committee and the ECB; and

WHEREAS, Mr. Simpson has offered to act as the facilitator for the ECB while the Town Board consider in full the concept of combining the Environmental Committee and the ECB; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby appoint Mr. Jared Simpson as the Environmental Conservation Board's facilitator for a term ending December 31, 2021; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Manager to work with the Town Attorney, Mr. Jared Simpson, and the Environmental Conservation Board (ECB) to prepare a proposed local law to amend Chapter 18 of the Town Code to allow for changes in the structure of the ECB which would allow for flexibility in the number of positions on the ECB based on projects they are considering at any time, and giving the ECB the flexibility to make such appointments while the Town Board reserves the right to appoint such Chairperson; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager, the Town Attorney, Mr. Simpson, and the ECB.

Motion made by Councilman Fennelly, seconded by Councilwoman Dworaczyk
5 Ayes: Davis, Dworaczyk, Fennelly, Menikotz, Simpson

4. The following resolution was acted upon by the Canandaigua Town Board on March 15, 2021:

RESOLUTION NO. 2021 – 066: THANKING JOHN ROBORTELLA FOR YEARS OF SERVICE TO THE ENVIRONMENTAL CONSERVATION BOARD

WHEREAS, The Town Board of the Town of Canandaigua (“Town Board”) has received the resignation of John Robortella as Environmental Conservation Board (ECB) Stenographer effective March 14, 2021; and

WHEREAS, John Robortella has served the ECB in this role for over five years while also recording meeting minutes for the Planning Board, the Drainage Committee, and the Project Review Committee; and

WHEREAS, the ECB is very appreciative of the work John has done on their behalf; and

WHEREAS, the Town Board is grateful that John will continue to serve the Town in his other roles as he is very good at what he does and helps to make sure the residents can easily follow the work of the boards and committees he serves; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby states its gratitude for the work John Robortella has done, and continues to do for the Town of Canandaigua and thanks him for his years of service to the Environmental Conservation Board; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to John Robortella.

Motion made by Councilman Fennelly, seconded by Councilman Davis

The Town Board thanked John for his service as the ECB secretary to the Town. He has always done a thorough job with the minutes. John has always been professional and a great guy.

5 Ayes: Davis, Dworaczyk, Fennelly, Menikotz, Simpson

5. The following resolution was acted upon by the Canandaigua Town Board on March 15, 2021:

RESOLUTION NO. 2021 – 071: APPOINTMENT OF KIMBERLY BURKARD AS SECRETARY TO THE ENVIRONMENTAL CONSERVATION BOARD

WHEREAS, a vacancy exists for the position of Environmental Conservation Board (ECB) Secretary; and

WHEREAS, the Town Manager advertised the position of Secretary to the Environmental Conservation Board (ECB) via a press release in the official newspaper, placed it on the Town of Canandaigua’s website, shared it on the Town’s Facebook page, and sent it out via MailChimp; and

WHEREAS, the Town Manager received an application from one applicant for this position and on February 19, 2021 the Town Manager and the Administrative Coordinator interviewed this candidate and are recommending that the Town Board appoint this person as the secretary to the ECB; and

WHEREAS, the ECB met with the applicant on March 4, 2021 and is recommending appointment;

WHEREAS, the candidate has skills and experiences that would be beneficial to the Town beyond simply serving as the ECB Secretary and so the Town Manager is recommending the Town Board approve the appointment to allow for services to other boards, committees, and the Town Manager’s office as needed; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby appoints Kimberly Burkard to the position of Environmental Conservation Board Secretary at a rate of \$14.00 per hour; and

BE IT FURTHER RESOLVED, the Town Board hereby approves Kimberly Burkard to work additional hours in service to other Town Boards, Committees, or Departments at the same pay rate and as directed by the Town Manager.

Motion made by Councilman Simpson, seconded by Councilman Fennelly

5 Ayes: Davis, Dworaczyk, Fennelly, Menikotz, Simpson

- e. Approval of the Minutes—March 4, 2021
- f. Updates to ECB Webpage (G. Kochersberger)
- g. Privilege of the Floor
- h. Report of the Development Office
- i. Referral from the Town Board
Discuss 4025 Middle Cheshire Road
- j. Referrals from the Citizens’ Implementation Committee (CIC)
- k. Referral from the Ordinance Committee:

Follow-up (if any) on referral from the ECB to the Ordinance Committee, re: planning issues related to Fallbook Park–Sandy Bottom Drive–Poplar Beach:

- I. Referrals from the Planning Review Committee (PRC) (Ms. Hooker, Mr. Damann)
Referred March 15, 2021

CPN-20-058 Venezia Group LLC, 5120 Laura Lane, Canandaigua, N.Y. 14424; owner of property at Fox Ridge Subdivision, Section 5B-3 (Lacrosse Circle)
TM #97.04-2-100.100
Requesting and Amended Final Subdivision (Phased) Plat approval for the subdivision of a 13-acre parcel into Phase 5B-3 containing 12 new lots (Lots 1–12) along Lacrosse Circle and as detailed on the Final Subdivision Plans for Fox Ridge Phase 5B-3 dated August 21, 2020, and all other relevant information submitted as of September 22, 2020 (the current application). The original application was reviewed by the Planning Review Committee on August 17, 2020; and by the Environmental Conservation Board on September 3, 2020. The original application was approved by the Planning Board on September 22, 2020.

CPN-21-010 Aura Power Solar USA LLC, c/o Catherine Rizzo, 3 Portwall Lane, Bristol, United Kingdom BS1 6NB; and Bergmann Architects, Engineers, Planners, c/o David J. Plante, AICP CEP, 280 East Broad Street, Suite 200, Rochester, N.Y. 14604; representing John H. Aikey Jr., 221 Davidson Avenue, Canandaigua, N.Y. 14424; owner of property at 2890 County Road 10
TM #84.00-1-17.200
Special Use Permit and Single-Stage Site Plan approval for a 15±-acre solar farm (3.25± MW) on a 17.98-acre parcel at 2890 County Road 10. The Sketch Plan of this application was reviewed by the Planning Review Committee on November 16, 2020 (CPN-20-082); and by the Planning Board on December 8, 2020. The Special Use Permit and Single-Stage Site Plan applications as submitted were reviewed by the Planning Review Committee on February 16, 2021; and at this meeting (March 15, 2021). This application was determined to be Incomplete at this time and was not reviewed by the Planning Review Committee at this meeting. Comments from the Planning Review Committee: Provide an existing conditions plan and a survey of the parcel; Delineate the location and details of the delineation of the Federal Wetland; Clarify the locations of the installation of equipment in relation to the Federal Wetland; Stormwater Management Plan is not complete.

CPN-21-017 Element Design Build, 1677 Lyell Avenue, Suite A, Rochester, N.Y. 14606; representing Dan and Laurie Hoffend, 4719 Cole Avenue, Apt. 362, Dallas, Texas 75205; owners of property at 4853 County Road 16.

TM #140.18-1-6.00

Requesting a Single-Stage Site Plan approval for construction of a new two-car garage.

Previous application (CPN-19-021) was reviewed by the Planning Review Committee on March 11, 2019; and approved with conditions by the Planning Board on April 9, 2019.

CPN-21-018

Costich Engineering DPC, c/o Evan R. Gefell, R.L.A., 217 Lake Avenue, Rochester, N.Y. 14608; representing Daigua LLC, P.O. Box 784, Pittsford, N.Y. 14534; owner of property at 3844 County Road 16 (West Lake Road)

TM #113.09-3-10.11

Requesting an Area Variance and a Single-Stage Site Plan approvals to make improvements to allow vehicular access from County Road 16 (West Lake Road), to construct a 100-square-foot accessory building, shoreline stabilization and dock. The accessory building will be seasonal and be served by public water and sanitary sewer. Requesting a 53.9-foot front setback variance to construct an accessory building 6.1 feet from the east boundary of County Road 16 (West Lake Road) (60 feet is required in the RLD). Requesting restoration of the original driveway in the existing curb cut location off of County Road 16 (West Lake Road) and thus a second point of access in the RLD.

CPN-21-020

Brian Beckwith, owner of property at 4611 Deuel Road

TM #139.00-1-14.120

Requesting an Area Variance to erect a 30-foot x 32-foot x 19-foot pole barn within the 100-foot watercourse setback (40 feet on the east and 32 feet on the south into the setback).

CPN-21-021

McMahon LaRue Associates PC, c/o Gregory McMahon, P.E.; 822 Holt Road, Webster, N.Y. 14580; representing Eli and Peggy Futerman, 220 Esplanade Drive, Rochester, N.Y. 14610; owners of property at 4799 County Road 16

TM #140.14-1-21.000

Requesting six Area Variances:

Primary Structure: 25.3-foot rear setback (30 feet is required); 6.8-foot side setback (10 feet is required).

Accessory Structure: 2-foot side setback (garage); 9.3 side setback and 12.6 rear setback for shed (15 feet rear setback required; 10 feet side setback required).

Lot coverage: 35.3 percent (30 feet maximum)

CPN-21-028 **Venezia & Associates, 336 N. Main Street, Canandaigua, N.Y. 14424; representing Analog Properties LLC (Chuck and Kate Vasilius), 1 South Nevada Avenue, Colorado Springs, Colorado 80903; owners of property at 3439 West Lake Boulevard**
 TM #98.13-1-16.110
 Requesting an Area Variance for stream setback and requesting a Single-Stage Site Plan approval for construction of a new single-family residence.

CPN-21-029 **Venezia & Associates, 336 N. Main Street, Canandaigua, N.Y. 14424; representing L & J Lakehouse LLC (Jerry and Lori Reinhart), 9 Valle Drive, Batavia, N.Y. 14020; owners of property at 3443 West Lake Boulevard**
 TM #98.13-1-17.211
 Requesting an Area Variance for stream setback and requesting a Single-Stage Site Plan approval for construction of a new single-family residence.

CPN-21-030 **Marks Engineering, c/o Brennan Marks, P.E., 42 Beeman Street, Canandaigua, N.Y. 14424; and ATL Contractors, c/o Angelo Licciardello, 8242 East Bluff Drive, Penn Yan, N.Y. 14527; representing Thomas Sawyer, 5935 Knapp Road, Canandaigua, N.Y. 14424; owner of property at 0000 Emerson Road.**
 TM #98.13-1-17.211
 Requesting a Special Use Permit and a Single-Stage Site Plan approval for construction of a new commercial structure (a new motor vehicle service business).

m. Old Business

1. ECB Page for Town Newsletter: April, May, June, and July (Ms. Venezia)

April: Suggested topic: Solid waste recycling program
 May: Topic: Birding, to be submitted by Ms. Hooker
 June: Topic: Pollinator Gardens/Native Bees by Ms. Davey
 July: Topic: to be determined by Mr. Polimeni

2. Town Hall Display Case (Ms. Davey)

Spring exhibit: Tree Exhibit (w/ childrens' art), Mr. Polimeni
 Summer exhibit: To be determined

3. Vacancies on the ECB

- Vacant chairperson position
 - One remaining vacant board member position; term to expire December 31, 2024
- n. New Business
- o. Member Reports
- Citizens Implementation Committee Representatives
 - Local History Team
 - Town Tree Board
 - Conservation Easement Team

p. Future Training Opportunities:

■ **2021 Municipal Bootcamp:**

A free annual program to provide certification credits to newly elected officials, planning and zoning boards and town officials sponsored by Hancock Estabrook and MRB Group. The program includes 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program will be provided remotely on the fourth Thursday of the month with subject matter experts and attorneys from Hancock Estabrook and MRB Group.

Thursday, April 22, 2021, 6:00 p.m. to 7:00 p.m.

Session 4: What Not To Say, and What *Really* Not To Do

Thursday, May 27, 2021, 6:00 p.m. to 7:00 p.m.

Session 5: Come One, Come All to the Greatest Show on . . . well . . .

Thursday, June 24, 2021, 6:00 p.m. to 7:00 p.m.

Session 6: Planning From (At Least) Six Feet Away

Thursday, July 22, 2021, 6:00 p.m. to 7:00 p.m.

Session 7: Ask Me Anything

Thursday, September 23, 2021, 6:00 p.m. to 7:00 p.m.

Session 8: From Big to Small

Thursday, October 28, 2021, 6:00 p.m. to 7:00 p.m.

Session 9: Well, Aren't You Special?

Thursday, December 23, 2021, 6:00 p.m. to 7:00 p.m.

Session 10: All the Right Forms in All the Right Places

Questions to:

Wendy A. Marsh, Partner, Hancock Estabrook
wmarsh@hancocklaw.com
(315) 565-4536

Matt Horn, Director, Local Government Services, MRB Group
matt.horn@mrbgroup.com
(315) 220-0740

Registration link:

<https://register.gotowebinar.com/rt/4608077833213548299>

■ **General Code e-Code**

Daily drop-in lunchtime training Q&A sessions plus webinars in several categories.
Information:
<https://www.generalcode.com/training/>

■ **NYS Department of State Local Government Training Calendar posted here:**

<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

■ **Future Training Opportunities Online:**

Ontario County Planning Department website now lists upcoming training:
<https://www.co.ontario.ny.us/192/Training>

■ **iMap Invasives Trainings & Events Online:**

<https://www.nyimapinvasives.org/training>

q. Adjournment and Next Meeting

Next meeting: **May 6, 2021, 4:30 p.m.**

Subsequent meetings will be held on:

- Thursday, May 6, 2021
- Thursday, June 3, 2021
- Thursday, July 1, 2021
- Thursday, August 5, 2021
- Thursday, September 2, 2021
- Thursday, October 7, 2021
- Thursday, November 4, 2021
- Thursday, December 2, 2021
- Thursday, January 6, 2022