

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

ENVIRONMENTAL CONSERVATION BOARD *Established November 4, 2009*

FEBRUARY 4, 2021
PREPARED 2/4/2021

PROJECT REFERRAL COMMENTS AND RECOMMENDATIONS

To: Town Board
Planning Board
Zoning Board of Appeals
Town Staff: Doug Finch, Chris Jensen, Chris Nadler, Sarah Reynolds,
Michelle Rowlinson

From: Environmental Conservation Board

Re: Project Referral Comments and Recommendations, February 4, 2021

REFERRALS FROM THE PLANNING REVIEW COMMITTEE (PRC)

Referred January 11, 2021

CPN-19-059

John Casey, owner of property at 3814 County Road 16

TM #112.00-1-72.00

Amended Site Plan approval and Area Variance for installation of pavers in lieu of top soil as a walkway for wheelchair accessibility along the lakefront and in front of the accessory structure.

Original Single-Stage Site Plan approved on June 12, 2018 (CPN-18-034); amended on December 11, 2018; and on April 23, 2019.

New Single-Stage Site Plan for rip-rap shoreline and to bring in earth and stone to raise the grade of the shoreline approved on September 10, 2019 (CPN-19-059).

Ms. Hooker submitted the following review of this application:

Summary of key points:

- Application is for shoreline improvements at the lakefront portion of the lot at 3814 County Rd 16, where a new home has been built over the past two years. A shoreline stabilization and associated shed were proposed and approved in September 2019. Two area variances were granted relating to the location of the shed.
- Construction of the shoreline was issued a stop work order in March of 2020, as the site improvements were not in conformance with the approved 9/2019 plan and associated DEC permit.
- Applicant submitted a revised site plan to the Town for lakefront improvements in April 2020; this included a new 10-foot x 18-foot structure, a lift, an earthen ramp and pavers to accommodate wheelchair use of the lakefront. A variance was required for the pavers. Applicant now seeks approval for a revised work scope in compliance with DEC case resolution.
- Unapproved work completed since fall 2019 includes:

Construction of a new riprap wall to the east of original shore line.

Fill between the new wall and the original shoreline.

Construction of an earthen ramp from the road down to the lakeshore.

Partial installation of pavers at lakeshore level.

Masonry housing for a proposed lift, partly in the road right of way.

Construction of a block retaining wall at the site of the proposed 10-foot x 18-foot building.

- Site approval requested now includes:

Partial relocation of the riprap wall to the west, with removal of some fill material.

Removal of the lift surround structure and relocation to the east, within the property boundary.

Completion of the ramp and stone path, pavers, and 10-foot x 18-foot structure.

- No changes are proposed to existing plantings, which consist of one tree and one lilac shrub in the bank.

- A dock system was indicated in the plan dated 4-20-20; this does not appear on the current site plan.
- DEC issued an “Order on Consent” on December 15, 2020, for removal of the unpermitted fill.
- DEC issued approval letter for the 1/21/2020 site plan shoreline stabilization and fill removal.

Environmental concerns:

- Pavers and a stone path occupy a substantial portion of the lakefront part of the site; this is a high level of impervious surfaces compared to the Town’s usual standards for sites close to the lake, although it is in compliance due to the large size of the lot.
- All drainage on the lakefront portion of the site, most of it a steep slope, goes directly to the lake, apparently including some runoff from the road down the ramp during heavy storm events. No measures are proposed to slow this or promote infiltration.
- The steep bank will be subject to erosion over time without measures to stabilize it through plantings and runoff mitigation.
- The 10-foot x 18-foot accessory structure is substantial and will be quite conspicuous in the context of other similar properties in the area, although a variance was granted in 2019 for the relocation of a shed of similar size.
- The shoreline guidelines letter is a cursory effort to address the Town’s intent for visual buffering at the lakefront.
- The proposed improvements relate directly to the applicant’s desire for wheelchair access to the lake, but approval appears inconsistent with the Town’s general encouragement to minimize impermeable surfaces near the lake, and could contribute to an unfortunate precedent.

Recommendation:

- That the applicant revise the plan to include permeable paving materials and drainage measures to slow runoff and promote infiltration, and to better address the Town’s guidelines for shoreline plantings to buffer the visual impact from the lake.
- That the revised plans include measures to stabilize the steep bank through new plant materials—ground covers, shrubs and trees selected for their ability to hold the soil.
- That the ZBA consider conditioning the area variances with limitations to ensure removal or reduction in size of the wheelchair-required structures and pavement when no longer required by the property owner.