RECEIVED FOR REVIEW
TOWN OF CANANDAIGUA DEVELOPMENT OFFICE
MAR 25 2014

PETITION TO AMEND THE OFFICIAL ZONING MAP

To the Town Board of the Town of Canandaigua, Ontario County, New York

1. Name, Address, and Telephone Number of the Applicant: Mike Nucci
22 Ashbrook Cir., Webster, NY 14580 (585) 303-9304

2. Name and Address of Applicant's Attorney (if applicable): _____

3. Interest of Applicant in Property: Member in LLC

4. Name and Address of Property Owner, if different: 2635 County Road 22 Properties, LLC
60 N. Lincoln Rd., E. Rochester, NY 14445

5. Subject Property Address and Tax Map Number: 2635 Cty Rd 22, Canandaigua, NY
071.000-01-021.151

6. Current Zoning Classification: AR-1

7. Requested Amended Zoning Classification: MU-3 Mixed Use District East

8. Existing Land Use and/or Buildings: N/A

9. Proposed Land Use and/or Buildings: Lease to a Service Business -
Servpro of Victor/Canandaigua

10. Applicant must attach a plot plan of the site indicating the following:
    - Existing and proposed property lines
    - Existing and proposed primary and accessory buildings
    - Heights of existing and proposed buildings
    - Existing and proposed front, side, rear, and buffering setbacks
    - Existing and proposed off street parking and means of ingress and egress
    - Land uses of all abutting and adjacent properties

Signature of Applicant / Date: Michael S. Nucci 3/24/14

OFFICE USE ONLY

Date Filed: _____ Date Referred to Planning Board: _____
Planning Board Action: _____
Publication: (dates) _____ (location) _____
Notice mailing date (attach mailing list): _____
Hearing: (date) _____ (time) _____ (location) _____
Order: _____

Town of Canandaigua
5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120
Established 1789

ZONING STATEMENT

PROPERTY OWNER:	2635 County Road 22 Properties, LLC
PROPERTY ADDRESS:	2635 County Road 22
TAX MAP NUMBER:	71.00-1-21.151
CURRENT ZONING:	AR-1
PROPOSED ZONING:	MUO-3

REFERENCE:

- Plans titled "Heather & David Loisel" by Years Boundary Land Surveying Services, dated 02/04/2014, received by the Town on 05/01/2014.

PARCEL DESCRIPTION:

- Parcel has an area of 1.939 Acres (84,506 sq. ft.) and 175.00 ft. lot width.
- Parcel contains two buildings - a main building and a garage – and has existing driveway onto County Road 22.
- Main building is 2323 sq. ft. and sits 70.5 ft. from front lot line, 47.8 ft. from right lot line, and 63.3 ft. from left lot line.
- Garage is 983 sq. ft. and sits 172.1 ft. from front lot line, 55.6 ft. from right lot line and 79.5 ft. from left lot line.
- Current use is preexisting nonconforming to the AR-1 District.

DATE: 3/28/2017 BY: Eric A Cooper
Eric Cooper – Zoning Officer

c: Binder
Property File
Property Owner
Town Clerk

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
Phone (585) 394-1120
Fax (585) 394-9476

Planning Board Decision Notification

Meeting Date: 5/13/2014

Project: 027-14

Applicant	Owner	Project Type	Project Location	Tax Map #
Michael Necci 22 Ashbrook Circle Webster, NY 14580	2635 County Road 22 Properties LLC 60 North Lincoln Road East Rochester, NY 14445	Rezoning Rezone - 1 to MUO-3	2635 County Road 22	71.00-1-21.151

TYPE OF APPLICATION:

☐ Preliminary ☐ Final X One/Single Stage
☐ Subdivision X Site Plan ☐ Special Use Permit

SEQR:

☐ Type I X Type II ☐ Unlisted

X See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

Applicant Request:

☐ Granted ☐ Denied ☐ Tabled

☐ Continued to:

☐ See attached resolution(s)

Recommendation To:

☐ Town Board ☐ ZBA ☐ N/A ☐ See attached resolution(s)
Recommendation:

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE ON THE FINAL PLAN BY: 11-10-14
YOU ARE RESPONSIBLE FOR REQUESTING AN EXTENSION PRIOR TO THIS EXPIRATION DATE IF THIS REQUIREMENT CANNOT BE MET.

Surety Requirements:

☐ Landscaping: $ ☐ Soil Erosion: $

☐ Other (specify): $

TOWN OF CANANDAIGUA
TOWN CLERK
FILED MAY 20 2014 FILED
B. Leary, Deputy

Certified By: Thomas A. Schwartz
Chairperson, Planning Board

Date: 5-19-14

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TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MICHAEL NECCI – 2635 COUNTY ROAD 22
CPN 027-14 TM# 71.00-1-21.151
SINGLE-STAGE SITE PLAN APPROVAL – REZONING FROM AR-1 TO MUO-3
-SEQR RESOLUTION- TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for an existing 2,300 +/- s.f. building and 980 +/- s.f. accessory structure on a 1.94 acre lot with an existing driveway off of County Road 22 for the use of a fire and water restoration clean-up company with only landscaping improvements proposed, as described on the Site Plan stamped received May 1, 2014 by the Town of Canandaigua Development Office, and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above Resolution was offered by *Richard Gentry* and seconded by *Charles Oyler* at a regular scheduled Planning Board Meeting held on May 13, 2014. Following discussion, a voice vote was recorded:

Richard Gentry - Aye
Charles Oyler - Aye
Dan O'Bine - Absent
Ryan Staychock - Aye
Thomas Schwartz - Aye

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the May 13, 2014 meeting.

Kathleen Gingerich L.S.
Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA
TOWN CLERK
FILED
MAY 20 2014
FILED
B. Henry, Deputy

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
MICHAEL NECCI – 2635 COUNTY ROAD 22
CPN 027-14 TM# 71.00-1-21.151
SINGLE-STAGE SITE PLAN APPROVAL – REZONING FROM AR-1 TO MUO-3

1. The Town of Canandaigua Town Board received a petition from Michael Necci to amend the zoning map for a 1.94 acre parcel located at 2635 County Road 22 from Agricultural Residential (AR-1) to Mixed Use Overlay (MUO-3).
2. No modifications to the existing structures are proposed as the applicant intends to use the existing two structures as they exist and lease the property to a service business known as Servpro of Victor/Canandaigua.
3. The Town Code for MUO-3 allows permitted and special permitted uses of the Limited Industrial District (LI) which includes office buildings for professional, executive, engineering and administrative purposes.
4. The Town Board at its April 14, 2014 Board meeting referred this application to the Planning Board for recommendation and site plan review/approval.
5. At its May 13, 2013 Board meeting, the Planning Board classified this action as a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations.
6. Type II Actions are not subject to further review under Part 617 of the SEQR Regulations.
7. Two existing structures are located on the 1.94 acre parcel with an existing driveway onto County Road 22.
8. Only landscaping improvements around the existing building fronting County Road 22 are proposed as this time as per the submitted site plan stamped received May 1, 2014 by the Town of Canandaigua Development Office.
9. The project is serviced by existing public water off County Road 22. No water improvements are proposed.
10. Public sewer is not available. An existing individual onsite wastewater treatment system is located on site and is to be depicted on the plans.
11. Landscaping Calculations:
    - Lot Size: 1.94 acres (84,506 sf)
    - 40% required green space = .58 acres (33,802 sf)
    - 1,250 sq ft = **27 canopy shade trees are required**
    - 250 sq ft = **135 deciduous shrub / evergreens are required**
12. This application is in compliance with Town of Canandaigua and NYSDEC General Permit requirements regarding water quality and quantity mitigation as no site improvements are proposed at this time.
13. The applicant provided a letter dated April 24, 2014 requesting a waiver from a professionally prepared Site Plan.
14. The Planning Board granted the waiver for the reasons stated in the applicants request letter.
15. No more than 5 employees will be at the proposed site.
16. Accessory building will be used as a storage facility.

17. The main building will be the office and garage for the vehicles.
18. There will be no outside storage of equipment or vehicles.
19. No disposal of chemicals on the project site.
20. French drain to be installed to convey runoff away from the existing septic system and leach field.
21. The main office building is 2,323 sf.
22. The accessory building is 983 sf.
23. The planning board has reviewed the proposed landscaping plan and granted a waiver for reducing the total number of required trees and shrubs based on there are no change or onsite improvements proposed as part of this application.
24. A total of 10 trees and 10 shrubs are to be provided and depicted on the site plans along the front and south side of the driveway area.
25. At least 3 different types of species are to be provided of which two are to be native. The trees and shrubs should be planted in groups of 3's and 5's.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
request to rezone MU0-3

Project Location (describe, and attach a location map):
2635 County Road 22

Brief Description of Proposed Action:
Request to amend zoning from AR-1 to MU-3

Name of Applicant or Sponsor:	Telephone: 585.303.9304
Mike Nacci for 2635 County Rd. 22 Properties LLC	E-Mail: Mnacci@servpro2211.com

Address:
60 N. Lincoln Rd

City/PO:	State:	Zip Code:
E. Rochester	NY	14445

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

3.a. Total acreage of the site of the proposed action?	2 acres
b. Total acreage to be physically disturbed?	0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	2 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)
☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☒

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☒	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☒	☐

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☒

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Septic System onsite	☒	☐

	NO	YES
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☒	☐
b. Is the proposed action located in an archeological sensitive area?	☒	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☒	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☒ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☒	☐

	NO	YES
16. Is the project site located in the 100 year flood plain?	☒	☐

	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		
a. Will storm water discharges flow to adjacent properties? ☐NO ☐YES	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐NO ☐YES		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☒	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Mike Nacci for 2135 Cty Rd 22 Appleton, Me Date: 3/27/14

Signature: _____

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT