

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

DRAINAGE ADVISORY COMMITTEE

Established October 16, 2017

TUESDAY, MAY 8, 2018, 11:00 A.M.

MINUTES—DRAFT #2

Meeting Called by: Charles Oyler, *Chairperson*

Committee Members Present: Richard Krebs
Kathy Page

Town Representatives: James Fletcher, Town Highway Superintendent
Greg Hotaling, Town Engineer (MRB Group, D.P.C.)
Chris Jensen, Town Code Enforcement Officer
Kevin Olvany, Canandaigua Lake Watershed Council
Kevin Reynolds, Town Board Member
Thomas Schwartz, Town Planning Board Chairperson

Guests: David Borkholder, Ph.D., 4752 County Road 16
John and Joanne Ryan, 5140 Laura Lane
Robert Wright, 5130 Laura Lane

1. CALL TO ORDER BY THE CHAIR

Mr. Oyler called the meeting to order at 11:00 a.m.

2. APPROVAL OF MINUTES OF APRIL 24, 2018

The minutes of the April 24, 2018, meeting were approved as submitted. The minutes will be posted upon the Drainage Advisory Committee web page and will be distributed to the Town Board members and Town staff via e-mail.

3. HILLCREST DRIVE DRAINAGE

Mr. Oylar: Said that MRB Group will report on the Hillcrest Drive drainage improvement plan at the next meeting on Tuesday, May 22, 2018. Residents of Hillcrest Drive are expected to attend.

4. TOWN OPEN HOUSE AND DISPLAYS

The Drainage Advisory Committee will have a table display at the Town and Highway Garage Open House on Saturday, June 16, 2018, from 9:00 a.m. to 1:00 p.m.

Ms. Page will coordinate the Drainage Advisory Committee information table at which a sign-up sheet will be provided for residents to report drainage issues on their properties. Mr. Jensen will provide maps for the display, including a map of the Canandaigua Lake flood plain.

5. UPDATE ON FINGER LAKES COMMUNITY COLLEGE PROJECT

Mr. Olvany: Continued the discussion of the athletic turf field project at Finger Lakes Community College (FLCC) and the associated stormwater retention facility options. He said that the project will begin with the delineation of the boundaries of the existing wetlands. This will be followed by the design of the stormwater management facilities. Mr. Olvany said that the design phase may begin in the fall of 2018 and that construction may begin this winter. He said that the athletic turf field project and the stormwater management facilities may be integrated into one overall design instead of having two separate designs.

Mr. Olvany: Said that the County has received a verbal commitment from David Genecco regarding the acquisition of an easement across the northern portion of the Genecco property on State Route 364 for use as a stormwater management berm. In exchange, the quantity component of the stormwater management for the proposed Star Cider development on State Route 364 north of Marvin Sands Drive would be included in the FLCC/Ontario County project.

6. STRASSBURG AND FROST CONCERNS AT ONANDA PARK

Mr. Jensen: Will continue with his efforts to arrange a meeting with a representative of the New York State Department of Environmental Conservation (DEC) regarding the drainage concerns expressed by two residents in the vicinity of Onanda Park on County Road 16. Mr. Jensen explained that Onanda Park is owned by the DEC and is operated by the Town on a long-term lease.

Mr. Jensen: Said that the DEC has indicated that the drainage concerns of the residents are on their private residential properties. He said that the DEC will not pay for the costs of designing a drainage mitigation project and/or the dredging of the adjacent stream for improvements which are not on the Onanda Park property.

Mr. Oyler: Asked if drainage responsibility is included in the Town's lease with the DEC. Mr. Fletcher said that the lease is vague on this point.

Mr. Jensen: Noted that one of the property owners applied for, and received, six variances from the Town zoning code for construction of the home near Canandaigua Lake, near the stream, and within the flood plain of the lake.

7. BORKHOLDER DRAINAGE ISSUES: 4752 COUNTY ROAD 16

Attending: Robert Borkholder, Ph.D.

References: *See photos attached, originally distributed to the committee on April 10, 2018).*

Dr. Borkholder: Discussed the drainage at his home at 4752 County Road 16 at which there have been 14 flooding events in the past five years. He said that he has spent approximately \$50,000 on clean-up and repairs during this period of time.

Dr. Borkholder: Said that a Town and County drainage study was conducted and that although several of the "easy" measures have been completed, the installation of a recommended drainage swale was denied by the Town Planning Board.

Dr. Borkholder: Said that flooding has been mitigated by the planting of hay in the agricultural field on property above County Road 16, but that the property owner's rotation of hay in this field is not a permanent solution to his drainage issues. He said that he expects that the flooding will continue if and when the property owner rotates the field back to row crops.

Dr. Borkholder: Said that the installation of a grass swale in the property owner's field helped to reduce the silt runoff onto his property but that the flooding did not stop until the property owner planted the field in hay.

Mr. Olvany: Said that he and Watershed Inspector George Barden recently walked the property owner's field. He said that the western half of the property is planted in a row crop and that the eastern half of the property—on the steeper slope—is still planted in hay. Mr. Olvany discussed the benefits of land-cover changes to mitigate flooding. He explained that the 400-foot-long and 15-foot-wide grass swale was planted in the fall of 2011 and that approximately 50 tons to 100 tons of silt has been removed by the grass swale on an annual basis. He noted that the property owner began to plant hay in the field in the summer of 2012 and that the crop did not establish densely until late 2012. Mr.

Olvany said that it seems as though the property owner will keep the field in hay for some time, but that he is not required to do. He said that the property owner understands the benefits of the land cover as a mitigation to the flooding of properties located downhill along County Road 16.

Mr. Oyler: Said that the good news is that the mitigation measures are working at the present time. Dr. Borkholder expressed concern that the flooding may resume if the property owner changes the use of the field from hay to row crops. He said that fields are usually rotated every five to seven years and that the planting of hay is not a permanent solution to the flooding on his property.

Mr. Olvany: Discussed efforts by Ontario County to improve drainage along County Road 16. Dr. Borkholder said that he still had flooding events after the County installed a swale on County Road 16. He said that the flooding only stopped after the property owner's field above County Road 16 was planted in hay.

Mr. Oyler: Asked if Dr. Borkholder's property experienced flooding during the intense storm in July 2017. Dr. Borkholder said that the culvert at the road was at capacity and that although some water came over the ground, it was not an issue. He said that the 18-inch pipe system is at capacity with the water coming down off the hill. He said that his concern is long-term and whether the existing system will work if things change on the properties above him, and if there is a change in topography.

Mr. Oyler: Said that the committee met with representatives from the Ontario County Department of Public Works on April 10, 2018 (*see minutes*) and that the County is planning drainage improvement projects on County Road 16. He said that the County is now in the process of identifying the locations for the improvements. Dr. Borkholder said that the County proposed to install a drainage pipe at his property but that he rejected this because of the safety concerns for his children when the County would not put a grate over the pipe. He said that the County's rationale was that a grate would cause clogging and force water to run over the road. Dr. Borkholder also noted that the County requested an easement over one-third of the frontage of his property along the lake which he did not think was needed and which he said would affect the value of his property. He said that the estimated cost of the County work was \$250,000.

Dr. Borkholder: Said that the County has not done simple improvements from the drainage study and that none of the County recommendations have been completed. He suggested that if the County has \$250,000 to spend, it would be better to spend it in long-term solutions such as raising the creek. Mr. Olvany said that raising the creek would require work on a great deal of private property and the acquisition of easements, would be sending stormwater directly into the lake, and would have the unintended consequences of raising the creek. Mr. Jensen noted that such a plan would require permits from the DEC.

Dr. Borkholder: Said that he retained MRB Group at a cost of \$6,000 to design a drainage improvement plan, but that the plan was rejected by the Town. He said that although the

plan was consistent with the County drainage study, the County and the Watershed District opposed it and the Town Planning Board denied it. He said that it was a frustrating experience. Mr. Olvany noted that the plan would have directed water to the south of Dr. Borkholder's property and would have impacted two neighboring properties.

Dr. Borkholder: Said that his home was built in 1887 and that he believes that the volume of water coming onto the property is much greater now.

Mr. Hotaling: Said that the primary option of the MRB Group plan was to take water coming down hill into an upsized drainage pipe. Dr. Borkholder said that a 3-foot x 6-foot open culvert with no cover was not acceptable.

Mr. Hotaling: Said that the easiest solution at this time is to lower the CN numbers, i.e., to reduce the amount of water coming down off the hill toward County Road 16, such as by keeping the property owner's field in hay or other similar crops that would hold more water. He noted that this would be the least costly and least disruptive option. Mr. Olvany said that the Town or the County might consider the purchase of a permanent easement on the property owner's field. He noted that the field is approximately 12 to 13 acres in size. Mr. Jensen said that the spending of public funds on private land would have to be considered. Mr. Hotaling said that an easement on the property owner's land could be a cost-avoidance measure and could benefit both the property owner and the Town.

Mr. Oyler: Suggested that the Town and County representatives continue to speak with the property owner on the planting of the field and land-cover options. Dr. Borkholder said that the existing culvert at the road currently handles the water if there is no additional runoff from the field above. Mr. Hotaling said that the problem occurs when water goes over land.

Mr. Schwartz: Asked if the drainage problems arose from a change in the land use or from the intensity of the storms. Mr. Olvany said that the problems have been caused by both situations. Dr. Borkholder also said that the problems seem to be a combination of intense storms and changes in the land use.

8. DRAINAGE ISSUES: 5130 LAURA LANE AND 5140 LAURA LANE

Attending: John and Joanne Ryan, 5140 Laura Lane; and Robert Wright, 5130 Laura Lane.

Mr. Ryan: Said that he and Joanne have lived on Laura Lane for 32 years and that his property backs up to a stream and wetlands. He said that the stream takes water from Middle Cheshire Road to Canandaigua Lake.

Mr. Jensen: Described that original drainage plan for this subdivision in which water was to flow to the far "playground" parcel and to be carried toward the lake. He noted that a portion of the property is owned by the City of Canandaigua and that a utility line crosses

the property. He said that the far parcel was intended to be a playground but that the playground was never built and that this lot has now become private property. Mr. Jensen suggested that a plan could be devised to divert the water from the yards of the homes back to the stream.

Mr. Ryan: Said that he never had an issue of cutting his lawn or walking on his property until recently, when his backyard is wet. He said that his neighbor's lawn is often wet all year and that the water comes up to his neighbor's house.

Mr. Ryan: Asked about the cleaning and opening of the stream. Mr. Jensen said that the stream is fine and that is below the level of the residential properties. He said that the issue is getting the water across the properties and back to the stream. He suggested that perhaps the residents could join together to arrange for the installation of a swale across the rear portions of their properties to channel the water to the stream. Mr. Ryan said that his backyard is pitched toward the stream.

Mr. Reynolds: Asked about permitting issues for this plan. Mr. Fletcher said that permits would be required from the U.S. Army Corps of Engineers and the DEC, and that the acquisition of permits could be a lengthy process.

Ms. Ryan: Asked why this is occurring. Mr. Jensen said that streams meander and that people often throw grass clipping and leaves into the streams and swales, which affect the flow of water. Mr. Hotaling noted that a beaver was relocated from the stream several years ago.

Mr. Reynolds: Said that a project involving the stream could become complex with engineering design considerations. Mr. Jensen also noted the issue of spending taxpayer funds on private property.

Mr. Ryan: Asked about a pond which Rocco Venezia installed on his property on Laura Lane, and if this pond has affected the drainage patterns. Mr. Jensen said that that purpose of Mr. Venezia's pond could have been to keep water off of his property, as well.

Mr. Wright: Explained that his property slopes downward and that water floods two of his willow trees. He said that water then flows over to the west side of his property where it accumulates in two different locations.

Ms. Ryan: Said that she heard that a layer of topsoil had been removed by the builder of the subdivision. She asked if this could have created the drainage issues. Mr. Wright suggested that the properties may not have been properly landscaped.

Mr. Oyler: Requested that Mr. Jensen review the original subdivision plans and aerial photographs of the site. He said that the discussion on this topic would continue at the Drainage Advisory Committee meeting on Tuesday, June 12, 2018.

9. SPREADSHEET OF DRAINAGE ISSUE LOCATIONS AND PROJECT STATUS

Mr. Oyler: Requested Mr. Jensen to provide committee members with an Excel copy of the spreadsheet of drainage issue locations and actions. They in turn will provide additional drainage issue locations and updates to Mr. Jensen who will continue to maintain the master spreadsheet of drainage locations and actions.

10. BOARD MEMBERS' COMMENTS

Ms. Page asked if applicants who ask for and receive variances to build so close to the lakeshore, flood plains, etc., are made aware of the consequences and responsibility of building homes and structures in these environmentally sensitive areas.

11. CORRESPONDENCE

The following correspondence was received:

To the Members of the Drainage Committee,

I spoke with Ralph Undercoffler, who lives at 5401 Wells Curtice Road. He mentioned how the work that was done to the drainage system on Wells Curtice Road has been working wonderfully. The new culvert pipes and the new grade/slope of the road have been working very efficiently. He mentioned several times that whoever designed the project and completed the work knew exactly what they were doing. He said that during periods of heavy rain the system functions flawlessly.

Kaitlynn McCumiskey
Highway and Water Department

12. NEXT STEPS

- Mr. Hotaling and Mr. Schultz of MRB Group: Preparation of a design for drainage improvements on Hillcrest Drive (May 22, 2018).
- Mr. Jensen: Will make arrangements for a DEC representative to attend a future meeting—possibly to be held at Onanda Park—to discuss drainage issues in the vicinity of Onanda Park.
- Mr. Jensen: Presentation of updated FEMA mapping/flood plains at a future meeting.
- Mr. Oyler: Discussion of Laura Lane Issues (June 12, 2018).

13. NEXT MEETINGS AND ADJOURNMENT

The next meeting of the committee will be:

Tuesday, May 22, 2018 11:00 a.m. Canandaigua Town Hall

Subsequent meetings will be:

Tuesday, June 12, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, June 26, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, July 10, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, July 24, 2018	11:00 a.m.	Canandaigua Town Hall

The meeting was adjourned at 12:10 p.m.

Respectfully submitted,

L.S.

John M. Robortella

Attachment:

Borkholder Drainage Photos (PDF file)

E-mail distribution:

Krebs, Richard
Oyler, Charles
Page, Kathy

cc. to:

Amon, Michelle
Bloom, Tina
Brabant, Lance
Chrisman, Jean
Cooper, Eric
Davis, Gary
Dworaczyk, Linda
Fennelly, Terry
Finch, Doug
Fletcher, Jim
Hotaling, Greg
Jensen, Chris
Marthaller, Joyce
McCumiskey, Kaitlynn
Olvany, Kevin
Reynolds, Kevin
Reynolds, Sarah
Schwartz, Tom
Westbrook, Greg