

2009 Planning / Zoning Application

Project Number 133-09 Date Received 12/9/2009

App Type Final Subdivision

Project Address 3950 County Road 16

Zone SC-1/RLD

Tax Map #: 112.00-1-24.100

Tax Map #2:

Applicant RSM West Lake LLC  
197 West Main Street  
Victor, NY 14564

Telephone: (585) 924-8530

Fax: (585) 924-9289

E-mail spman@rochester.rr.com

Contact Mancini Steve

Telephone: (585) 924-8530

Fax: (585) 924-9289

E-mail spman@rochester.rr.com

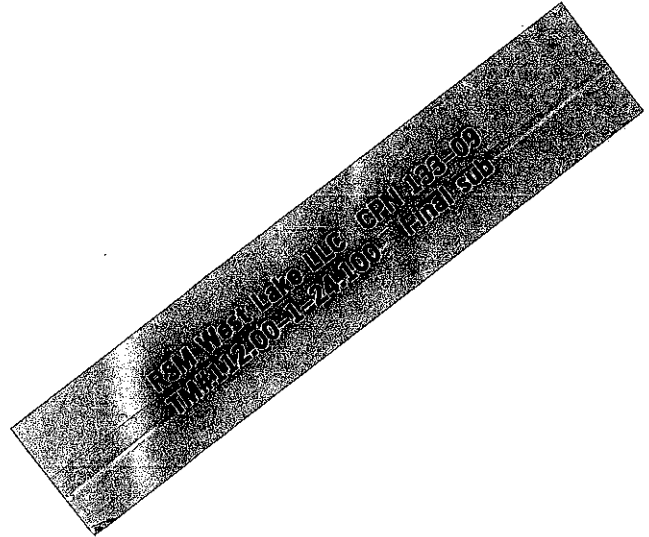
Owner RSM Development LLC  
197 West Main Street  
Victor, NY 14564

Owner 2

Project 66 Lot Subdivision (final)  
Description

☐ Fee Paid

☒ Rcvd Sign



STATE OF NEW YORK  
WORKERS' COMPENSATION BOARD

**CERTIFICATE OF INSURANCE COVERAGE UNDER THE NYS DISABILITY BENEFITS LAW**

**PART 1. To be completed by Disability Benefits Carrier or Licensed Insurance Agent of that Carrier.**

|   |  |
|---|--|
| <b>1a. Legal Name and Address of Insured (Use street address only)</b><br><br>ROGER JOHN PERRIN<br>(EMPLOYEES COVERAGE ONLY)<br>5256 WELLS CURTICE RD.<br>CANANDAIGUA, NY 144240000                 | <b>1b. Business Telephone Number of Insured</b><br>(585) 394-0760<br><br><b>1c. NYS Unemployment Insurance Employer Registration Number of Insured</b><br>61-01268<br><br><b>1d. Federal Employer Identification Number of Insured or Social Security Number</b><br>16-1407234                           |
| <b>2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</b><br><br>TOWN OF CANANDAIGUA<br>5440 ROUTES 5 & 20<br><br>CANANDAIGUA, NY 14424 | <b>3a. Name of Insurance Carrier</b><br>STANDARD SECURITY LIFE INS. CO., OF NEW YORK<br><br><b>3b. Policy Number of entity listed in box "1a":</b><br>100956-000<br><br><b>3c. Policy effective period:</b><br><div style="text-align: center;"> <u>04/06/1992</u>      to      <u>07/22/2015</u> </div> |

**4. Policy covers:**

- a. ☒ All of the employer's employees eligible under the New York Disability Benefits Law
- b. ☐ Only the following class or classes of the employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability Benefits insurance coverage as described above.

Date Signed 07/23/2014 By   
 (Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (212) 355-4141 Title SUPERVISOR-DBL/POLICY SERVICES

**IMPORTANT:** If box "4a" is checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.  
 If box "4b" is checked, this certificate is NOT COMPLETE for purposes of section 220, Subd. 8 of the Disability Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, 20 Park Street, Albany, New York 12207.

**PART 2. To be completed by NYS Workers' Compensation Board (only if box "4b" of Part 1 has been checked)**

**State Of New York  
Workers' Compensation Board**

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability Benefits Law with respect to all of his/her employees.

Date Signed \_\_\_\_\_ By \_\_\_\_\_  
 (Signature of NYS Workers' Compensation Board Employee)

Telephone Number \_\_\_\_\_ Title \_\_\_\_\_

**Please Note:** Only insurance carriers licensed to write NYS disability benefits insurance policies and NYS licensed insurance agents of those carriers are authorized to issue form DB-120.1. Insurance brokers are NOT authorized to issue this form.

## Jean Chrisman

---

**From:** Kellogg, Nancy B [Nancy.Kellogg@co.ontario.ny.us]  
**Sent:** Monday, March 04, 2013 2:32 PM  
**To:** jchrisman@townofcanandaigua.org  
**Subject:** RSM Developer

Hi Jean,  
I finally was able to find out from RSM that the name of the road will be Marella View. Pat in the Tax Map office thought we should let you know.  
Thanks again for your help with the contacts.  
Nancy

*Nancy B. Kellogg \ Ontario County Addressing Official*  
*Ontario County 911*  
*74 Ontario Street*  
*Canandaigua, NY 14424*  
*585-393-2990(P) 585-394-3245 (F)*  
[Nancy.Kellogg@co.ontario.ny.us](mailto:Nancy.Kellogg@co.ontario.ny.us)

“This message may contain confidential, sensitive and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.”

## Amanda (Ward) Catalfamo

---

**From:** jchrisman@townofcanandaigua.org  
**Sent:** Tuesday, June 05, 2012 4:24 PM  
**To:** dcollins@townofcanandaigua.org; acatalfamo@townofcanandaigua.org  
**Subject:** Fwd: Easement  
**Attachments:** 20120605111909816.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi There --

Don -- here is a copy of the RSM water main easement filing receipt over the Kenny Kuek fronting Rileys Run.

Amanda -- can you please print a copy of the email and attachment and put it in the RSM Final Sub project file.

Jean

-----Original Mail-----

**From:** "Mike Simon" <[MSimon@bmepec.com](mailto:MSimon@bmepec.com)>  
**To:** "Jean Chrisman" <[jchrisman@townofcanandaigua.org](mailto:jchrisman@townofcanandaigua.org)>  
**Sent:** Tue, 5 Jun 2012 16:07:29 -0400  
**Subject:** Easement

Jean, I am looking into other information we may have in this regard, that is, if you need more than this. Thanks. Mike.

Michael A. Simon

BME | Associates  
10 Lift Bridge Lane East  
Fairport, NY 14450  
Ph. 585-377-7360  
Fax 585-377-7309  
[www.bmepec.com](http://www.bmepec.com)<<http://www.bmepec.com/>>

2145B

**Matthew J. Hoose, County Clerk**  
 Ontario County Clerk  
 20 Ontario Street  
 Canandaigua, New York 14424  
 (585) 396-4200

**Received From:**

BROCKLEBANK LAW FIRM  
 51 NORTH MAIN STREET  
 CANANDAIGUA, NY 14424

**Receipt #:** 71864  
**Transaction #:** 1069895  
**Payment Comment:**

|                           |                |
|---------------------------|----------------|
| <b>Fees for: EASEMENT</b> | <b>\$85.00</b> |
|---------------------------|----------------|

**Book / Page:** D 01273 0731  
**Control #:** 201202130108  
**Ref #:** TX 2012 001625  
**Recorded:** 02/13/2012 02:24:00 PM

KUEK, KENNY  
 CANANDAIGUA TOWN

|                                       |                |
|---------------------------------------|----------------|
| <b>Total Charges for Transaction:</b> | <b>\$85.00</b> |
|---------------------------------------|----------------|

**Payments Received:**

|               |         |
|---------------|---------|
| Check (21415) | \$90.00 |
| Change        | \$5.00  |

**Ontario County Clerk Recording Page****Return To**

BROCKLEBANK LAW FIRM  
51 NORTH MAIN STREET  
CANANDAIGUA, NY 14424

**Matthew J. Hoose, County Clerk**  
Ontario County Clerk  
20 Ontario Street  
Canandaigua, New York 14424  
(585) 396-4200

Document Type: **EASEMENT**

Receipt Number: 71864

|                          |
|--------------------------|
| <b>Grantor (Party 1)</b> |
| KUEK, KENNY              |

|                          |
|--------------------------|
| <b>Grantee (Party 2)</b> |
| CANANDAIGUA TOWN         |

|                         |                |
|-------------------------|----------------|
| <b>Fees</b>             |                |
| Recording Fee           | \$20.00        |
| TP-584 Form Fee         | \$5.00         |
| Pages Fee               | \$40.00        |
| State Surcharge         | \$20.00        |
| <b>Total Fees Paid:</b> | <b>\$85.00</b> |

|                              |                |
|------------------------------|----------------|
| <b>Consideration: \$1.00</b> |                |
| <b>Control #:</b>            | 201202130108   |
| <b>Ref #:</b>                | TX 2012 001625 |

State of New York  
County of Ontario

Recorded on February 13th, 2012 at 2:24:00 PM  
in Liber 01273 of Deeds  
beginning at page 0731, ending at page 0738,  
with a total page count of 8.

A handwritten signature in cursive script, reading "Matthew J. Hoose".

---

Ontario County Clerk

*This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York*

201202130108

02/13/2012 02:24:00 PM

D 01273 0732

**PERMANENT WATER LINE EASEMENT**

THIS INDENTURE is made this 7 day of December, 2011, between KENNY KUEK and LAYLA PITT, individuals owning property located 3895 Rileys Run, Canandaigua, New York 144424, bearing tax parcel no. 112.04-01-2.175, collectively party of the first part, and the TOWN OF CANANDAIGUA, a municipal corporation within Ontario County and State of New York located at 5440 routes 5 & 20 West, Canandaigua, NY 14424; and RSM WEST LAKE ROAD, LLC ("RSM"), having a business address of 197 West Main Street, Victor, New York 14564, and owning property located in the Town of Canandaigua bearing tax parcel no. 112.00-01-24.1, collective party of the second part,

WITNESSETH: That the party of the first part, for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the party of the second part, the receipt of which is hereby acknowledged, DOES HEREBY GRANT, TRANSFER AND CONVEY to the party of the second part, and its successors and assigns forever, a permanent waterline easement and right-of-way in, below, under and along the premises described in Exhibit A and shown on Exhibit B attached hereto for the purposes of constructing the waterline; and for maintaining, using, operating, repairing, and reconstructing the waterline; and making the required excavations therefore below the land described at Exhibit A and shown on Exhibit B, and inspecting the area from time to time, together with the right of the party of the second part, its officers, employees, agents, servants or contractors, of ingress and egress to enter upon and along the premises described at Exhibit A and shown on Exhibit B for the full and complete use, occupation and enjoyment of the permanent waterline easement hereby granted, and all rights and privileges incident thereto, including, but not limited to, any of the purposes hereinbefore specified.

PROVIDED, however, that:

1. RSM agrees that it will restore and be responsible for restoring the surface of the ground to the same condition as it was before the making any required excavations.

*\*large written*  
2. The party of the second part further agrees to give the party of the first part fourteen (14) ~~days~~ notice, to the extent practicable, prior to commencing any necessary excavating hereunder, and to complete any necessary excavating with all reasonable speed unless prevented by war, strike, acts of God, or other conditions beyond the reasonable control of the party of the second part.

3. The party of the second part further agrees to:

(a) to make adequate provision to insure access to the premises of the party of the first part, its successors and assigns during any maintenance, use, operation, repair, and/or reconstruction of the water line and/or during any required excavations,

(b) not to use the facilities on the property of the party of the first part for drinking water, toilets, telephone, etc.

(c) not to park personal vehicles on the premises.

(d) to park construction vehicles and equipment only in close proximity to the premises described in Exhibit A and shown on Exhibit B.

(e) not to start any fires for any purpose whatsoever on property of the party of the first part.

(f) not to plug up any existing drainpipes.

(g) to remove any spills of gravel or dirt on existing blacktop and to make the same "broom clean".

(h) to dispose of any clean fill at locations designated by the party of the first part.

(i) to safeguard any excavations during construction with visible signs and barricades.

(j) not to bring construction equipment of any kind onto the surface of the property of the party of the first part except for the purposes both of constructing and of maintaining, using, operating, repairing, and reconstructing the waterline.

(k) to cross lands of the party of the first part to gain access to the easement area only.

(l) not to wash or otherwise clean construction equipment while on the property of the party of the first part.

(m) to maintain at least 50 feet of undisturbed vegetative buffer in the RSM property bordering the property of the party of the first part.

(n) to restore damages to landscape, hardscape, driveway, structures, and other improvements to the property of the party of the first part which result from failure of the waterline while in use and operation; or during construction, testing, inspection, repair and reconstruction.

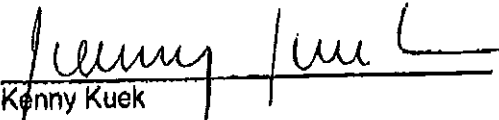
4. The party of the first part covenants with RSM and the Town of Canandaigua that it is lawfully seized and possessed of the real property above described, that it has a good and lawful right to convey it, and any part thereof, including the rights conveyed

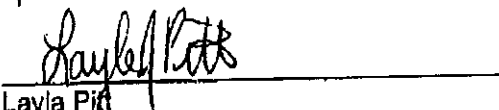


by this instrument, and that it will forever warrant and defend the title thereto against the claims of any persons.


5. This agreement may be executed in counterparts.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed as of the day and year first above written.


  
Kenny Kuek

  
Layla Pitt

RSM West Lake Road, LLC

by:   
Steven P. Mancini, Member

Town of Canandaigua

by:   
James M. Fletcher, Highway and  
Water Superintendent  
Acting for the Town

[Acknowledgments contained on following pages hereof.]

201202130108

02/13/2012 02:24:00 PM

D 01273 0735

STATE OF NEW YORK )  
COUNTY OF ~~ONTARIO~~ ) ss.:

On the 15<sup>th</sup> day of November, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared Kenny Kuek, known to me or proved to me on the basis of satisfactory evidence to be the same individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

JAMES J. BONSIGNORE  
NOTARY PUBLIC, State of New York  
Qualified in Monroe County  
No. 02BO6185410  
Commission Expires April 14, 2012

  
Notary Public

STATE OF NEW YORK )  
COUNTY OF ~~ONTARIO~~ ) ss.:

On the 15<sup>th</sup> day of November, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared Layla Pitt, known to me or proved to me on the basis of satisfactory evidence to be the same individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

JAMES J. BONSIGNORE  
NOTARY PUBLIC, State of New York  
Qualified in Monroe County  
No. 02BO6185410  
Commission Expires April 14, 2012

  
Notary Public

STATE OF NEW YORK )  
COUNTY OF ~~ONTARIO~~ ) ss.:

On the 15<sup>th</sup> day of November, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared RSM West Lake Road, LLC, acting herein by Steven P. Mancini, its member duly authorized, known to me or proved to me on the basis of satisfactory evidence to be the same individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the entity upon behalf of which the individual acted, executed the instrument.

JAMES J. BONSIGNORE  
NOTARY PUBLIC, State of New York  
Qualified in Monroe County  
No. 02BO6185410  
Commission Expires April 14, 2012

  
Notary Public

201202130108

02/13/2012 02:24:00 PM

D 01273 0736

STATE OF NEW YORK )  
COUNTY OF ONTARIO, ) ss.:

\* Sarah Bruchlak, atty for

On the 7<sup>th</sup> day of December, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared ~~\*James M. Fletcher, Highway and Water Superintendent of the Town of Canandaigua~~, known to me or proved to me on the basis of satisfactory evidence to be the same individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the entity upon behalf of which the individual acted, executed the instrument.

  
Notary Public

GAIL WITTENBERG  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ONTARIO COUNTY NO. 018471100  
MY COMMISSION EXPIRES: 11-30-2015

201202130108

02/13/2012 02:24:00 PM

D 01273 0737

2145  
DNZ  
Revised  
10/26/11

Proposed Description of  
a Utility Easement (UB-2)  
to RSM West Lake Road, LLC

ALL THAT TRACT OR PARCEL OF LAND containing 1,882 square feet more or less, situate in the Phelps and Gorham Purchase, Township 9, Range 3, Town Lot 79, Town of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "The Residence At West Lake, Basement Plan," prepared by BME Associates, having drawing number 2145-32, last revised October 26, 2011, being more particularly bounded and described as follows:

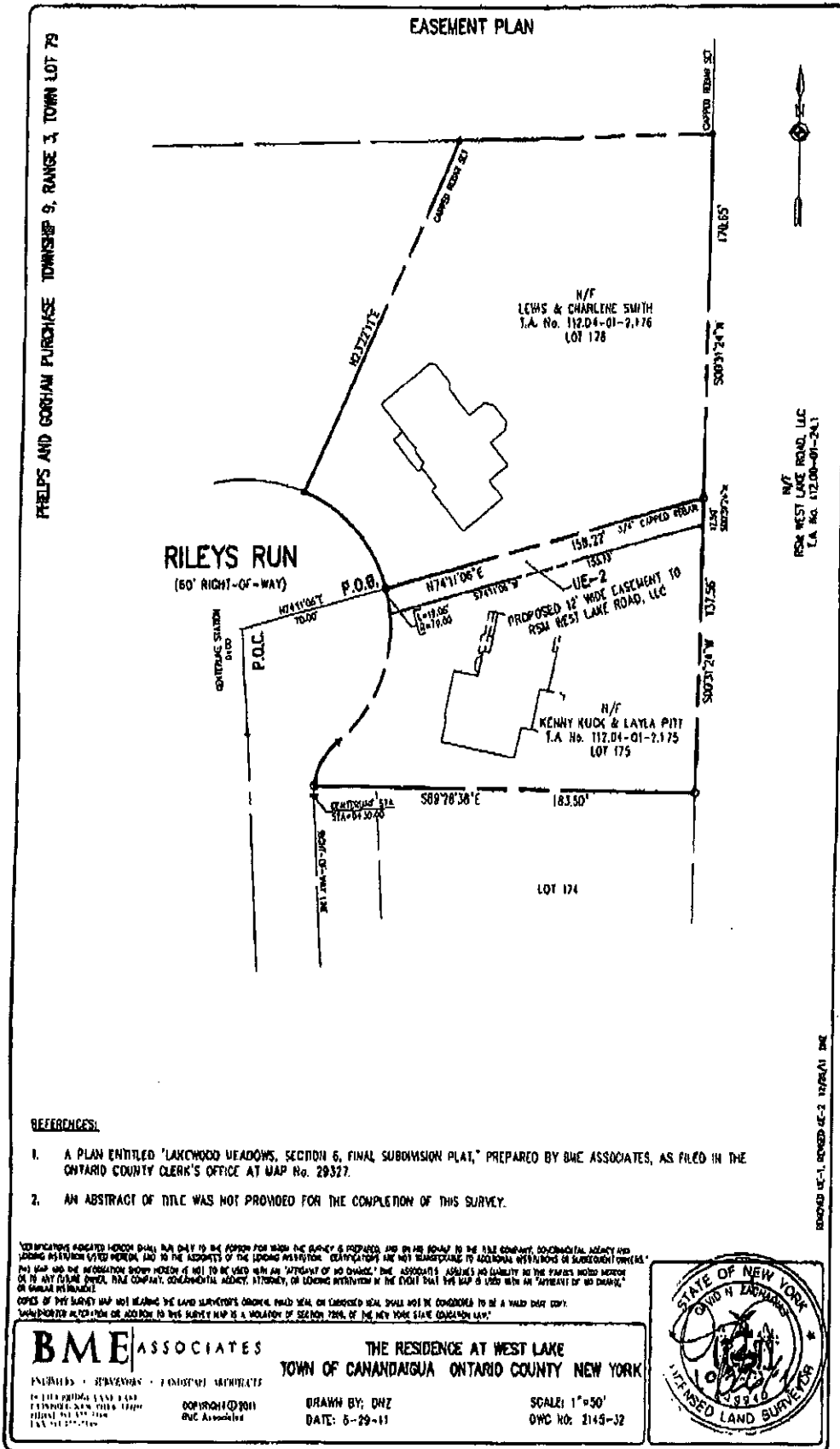
Commencing at a point, said point being on the center of the Cul-De-Sac of Rileys Run (60' Right-of-Way) having a centerline station of 0+00.00; thence

- A. N 74°11'06" E, a distance of 70.00 feet to the Point of Beginning; thence
1. N 74°11'06" E, a distance of 158.22 feet to a point; thence
  2. S 00°31'24" W, a distance of 12.50 feet to a point; thence
  3. S 74°11'06" W, a distance of 155.73 feet to a point; thence
  4. Northerly, along a curve to the left, having a radius of 70.00 feet, a distance of 12.06 feet to the Point of Beginning.

201202130108

02/13/2012 02:24:00 PM

D 01273 0738



File  
Reid  
5-22-2012

**RIGHT-OF-WAY NAMING & ADDRESS NUMBERING APPLICATION**

Pursuant to Resolution 413 of 1993, the Ontario County Board of Supervisors designated the Ontario County Planning Department to approve all proposed names for streets, roads, right-of-ways, apartment complex names, mobile home parks, commercial or industrial plazas, and others, whether public or private, within Ontario County. Starting February 2002 the Ontario County 9-1-1 Center's Addressing Division will approve the above mentioned and also assign road number ranges along the proposed streets or roads in compliance with the County approved numbering system in use within the municipality. PLEASE COMPLETE ONE FORM PER SUBDIVISION/COMPLEX/PROJECT AND SUBMIT TO THE MUNICIPAL ADDRESSING OFFICIAL WITH A SURVEY MAP OF THE PROPOSED PROJECT AND ROADS.

The Addressing Official will assist you in proper completion of this form, and forward it for review at the proper time during the municipal review process. The 9-1-1 Center's Addressing Division will notify both you and the local municipality of its acceptance, denial, or suggested modifications to your name requests within 30 days of receipt of your application, along with address number range assignments. The Addressing Official will use this information to assign individual addresses to each lot, dwelling unit, or business within your project.

I hereby apply for permission to use the following proposed names (PLEASE PRINT or TYPE):

1. MARELLA VIEW
2. PANAMERA VIEW
3. MARINER CIRCLE
4. NAUTICA DRIVE
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_

Name of Municipality (Town or Village) TOWN CANANDAIGUA

Name of Subdivision/Project RESIDENCES AT WWT LAKE MARINE CLUB

Tax Map Number 322400 112.00-1-24.100

NAME OF APPLICANT RSM DEVELOPMENT

Mailing Address of Applicant 197 WEST MAIN STREET VICTOR N.Y 14564

Applicant's Telephone 924-8503 Ext. \_\_\_\_\_

Municipal Addressing Official LECLARI

I understand that this process is intended to protect the integrity of the 911 Emergency Address Records, and that the County's determination will be based upon consideration of potential confusion or errors in the dispatching of Emergency Services. Further, I acknowledge that I must notify the County of any changes or discontinuance of approved name(s).

Signature of Applicant [Signature]

**Procedural Note:** Municipal addressing official presents one copy to applicant, keeps one copy, and forward two copies to the 9-1-1 Center's Addressing Division which will send one copy back to addressing official.

RECEIVED AND APPROVED  
ONTARIO COUNTY 9-1-1 CENTER

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

REVIEWED AND APPROVED  
ONTARIO COUNTY 9-1-1 CENTER

BY: Mary J. Seewer  
DATE: 5/18/12

TO: Planning Board Canandaigua  
FROM: Ontario County Clerk

In accordance with Town Law #278 you are hereby  
notified that a subdivision map was filed in  
this office on April 27 2012  
(date)  
Residences at West Lake

cc: Real Property Tax Agency  
Ontario County Department of Planning

Map # 32522; A & B

# TOWN OF CANANDAIGUA

5440 Route F. 20 West  
Canandaigua, N.Y. 14224

## LETTER OF TRANSMITTAL

DATE 2/27/2012 JOB NO. CPN-133-09

ATTENTION \_\_\_\_\_

### DEPARTMENT OF PLANNING & ZONING

TO Mike Simon  
BME Associates

RE: Final Subdivision  
Plat + Plans

Residences @ West Lake  
(Rsm)

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via \_\_\_\_\_ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications  
☐ Copy of letter ☐ Change order ☐ \_\_\_\_\_

| COPIES | DATE | NO.      | DESCRIPTION   |
|--------|------|----------|---|
|        |      | <u>1</u> | <u>Signed Set of Mylars</u><br><u>Coversheet plus Drawing 02 - 26</u> |
|        |      |          |   |
|        |      |          |   |
|        |      |          |   |
|        |      |          |   |
|        |      |          |   |
|        |      |          |   |
|        |      |          |   |

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Resubmit \_\_\_\_\_ copies for approval  
☐ For your use ☐ Approved as noted ☐ Submit \_\_\_\_\_ copies for distribution  
☐ As requested ☐ Returned for corrections ☐ Return \_\_\_\_\_ corrected prints  
☐ For review and comment ☐ \_\_\_\_\_  
☐ FOR BIDS DUE \_\_\_\_\_ ☐ PRINTS RETURNED AFTER LOAN TO US

### REMARKS

① The property owner has 62 days to file the Subdivision plat and deeds at the Office of the Ontario County Clerk - on/ before Monday April 30, 2012 -

② Ch 174 Sect 174-11-I: if the final plat (and deeds) are not filed @ the Office of the Ontario County Clerk by 4-30-12 the Plng Board's approval shall expire and become null/void. There is no allowance to extensions to this expiration date.

COPY TO Picked Up By / Date: [Signature] 3/1/12

SIGNED: [Signature]



# Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax (585) 394-9476

*Established 1789*

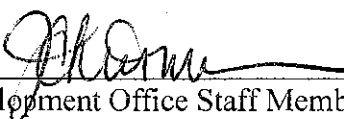
## STAFF SIGN-OFF FOR PLANNING BOARD CHAIRPERSON

Date: 2/27/12

CPN: 133-09

I have reviewed the revised submitted plans against the Planning Board's conditions of approval for the above referenced application. It appears that all conditions of approval have been met and the plans are ready for the chairperson's signature.

I contacted the Planning Board Chairperson by telephone / email requesting their signature on the plans.

  
Development Office Staff Member

Originated: 11/8/04  
Revised: 3/1/07; 8/10/10  
M:\GROUP-1\DOCUMENT\ARCHIVE\FORMS\IP-031 Staff Sign Off for PB Chair.doc

*Final Plans  
Signed 2/28/12*

# BME ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

## LETTER OF TRANSMITTAL

TO: Town of Canandaigua  
5540 Route 5 & 20 West  
Canandaigua, New York  
 ATTN: Jean Chrisman

|                                   |                      |
|-----------------------------------|----------------------|
| DATE<br>2/27/12                   | PROJECT NO.<br>2145B |
| PROJECT<br>Residence at West Lake |                      |
| RE:<br>Final Plans                |                      |

ENCLOSED ARE:

| QUAN. | DRAWING NO.     | DRAWING TITLE          |
|-------|-----------------|------------------------|
| 1     | Full Set Mylars | Residence at West Lake |
| 2     | Full Sets Paper | Residence at West Lake |
|       |                 |                        |
|       |                 |                        |
|       |                 |                        |
|       |                 |                        |
|       |                 |                        |
|       |                 |                        |

- ☐ INFORMATION & USE  
☐ AS REQUESTED  
☒ FOR APPROVAL  
☐ AS REVISED  
☐ REPLY REQUESTED

☒ PRINTS ☒ MYLAR SEPIA

- ☐ SPECIFICATIONS  
☐ COPY OF LETTER FROM  
☐ APPLICATION FORM  
☐ LEGAL DESCRIPTION OF  
☐ CHECK \$

COMMENTS Jean, we are requ  
me know when they are ready f

COPY OF LETTER TO:  
File

☐ MAIL

10 LIFT BRIDGE LA  
 FAIRPORT, NEW YC  
 P: 585-377-7360  
 F: 585-377-7309  
 www.bmecpc.com

**DELIVERY SERVICE**

NO. 450319 Fax: (585) 342-1082

COMPANY Town of Canandaigua

CONTACT (PLEASE PRINT) Jean Chrisman

STREET ADDRESS 5540 RT 5 & 20 W.

CITY OR TOWN Canandaigua STATE NY ZIP OR TOWN 14434

DATE: 2/27/12 Phone: (585) 342-9850

**BME ASSOCIATES**  
 ENGINEERS, SURVEYORS, PLANNERS  
 LANDSCAPE ARCHITECTS  
 10 LIFT BRIDGE LANE EAST  
 FAIRPORT, NEW YORK 14450

CLASS OF SERVICE  
☐ SUPER RUSH  
☐ RUSH  
☒ SAME DAY  
☐ INSIDE DEL.

NO. OF PKGS. 3

DESCRIPTION Rolls (2 plans)

BILLING REFERENCE 2145B-MHS-\$85.62

RELEASE SIGNATURE: [Signature]

DRIVER'S SIGNATURE [Signature] DRIVER'S NUMBER 64

CONSIGNEE SIGNATURE [Signature]

RECEIVED IN GOOD ORDER

TIME DEL. 2/27/12

NAME (PLEASE PRINT) Jean Chrisman

WEIGHT 64

TOTAL PKGS. 3

TOTAL WEIGHT 14434

TIME OUT 2/27/12 TIME IN 2/27/12

WAIT TIME 2/27/12

PLEASE LET me know when they are ready f

UP

20 • YEARS

**NEW YORK**  
state department of  
**HEALTH**

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

February 23, 2012

Canandaigua Town Board  
5440 Routes 5 & 20  
Canandaigua NY 14424

Attn: Samuel Casella, Supervisor

RE: **PUBLIC WATER SUPPLY**  
Canandaigua Consolidated WD  
(APPROVAL - Water Supply Plans,  
The Residences at West Lake)  
Canandaigua (T) - Ontario County

Gentlemen:

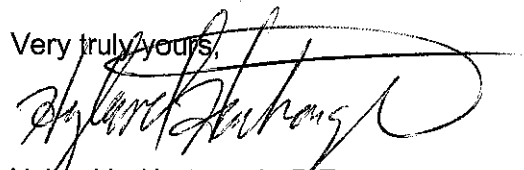
We have, this date, approved the plans and specifications submitted by Douglas B. Eldred, P.E. of BME Associates, for the above-referenced project, which includes an extension to the existing water system. Enclosed is an APPROVAL OF PLANS FOR PUBLIC WATER SUPPLY IMPROVEMENT (form DOH 1017) for the project. Application for this project was duly made by you and received in this office on 22 February 2012.

PLEASE BE ADVISED that the proposed works approved herein may not be placed into service until such time that an APPROVAL OF COMPLETED WORKS (form DOH 1032) has been issued by this Department. Before that form can be issued, a New York State licensed professional engineer must submit certification (form DOH-5025) that they or their designated representative has witnessed the construction, testing and disinfection procedures as per conditions a., c. and d. of the enclosed DOH-1017 form, and that they have collected an appropriate number of water samples from the completed works for bacteriological analysis by a NYS-approved laboratory. An Engineer's Certification form is attached for your use. Copies of the results of the analyses must also be submitted with the above-mentioned certification.

We call your attention to standard conditions a. - e. and **Special Condition f.** of the enclosed DOH-1017 form.

One copy of the approved application documents and plans is being retained for our files. Distribution of remaining documents is indicated below.

Very truly yours,



Hyland L. Hartsough, P.E.  
Public Health Engineer 2

HLH:jm\78-12  
enc.

pc: BME Associates - Attn: Mr. Eldred, PE (w/DOH-1017 & plans)  
Canandaigua Town Water Department - Attn: Mr. Fletcher, Supt. (w/DOH-1017 & plan)

# Approval of Plans for Public Water Supply Improvement

This approval is issued under the provisions of 10 NYCRR, Part 5:

|  |  |                          |   |
|--|--|--------------------------|---|
| 1. Applicant<br><br>Canandaigua Town   | 2. Location of Works (C,V,T)<br><br>Canandaigua Town | 3. County<br><br>Ontario | 4. Water District<br>(Specific Area Served)<br><br>Canandaigua Town - Residences at West Lake |
| 5. Type of Project   |  |                          |   |
| <input type="checkbox"/> 1 Source <input type="checkbox"/> 3 Pumping Units <input type="checkbox"/> 5 Fluoridation <input checked="" type="checkbox"/> 7 Distribution                        |  |                          |   |
| <input type="checkbox"/> 2 Transmission <input type="checkbox"/> 4 Chlorination <input type="checkbox"/> 6 Other Treatment <input type="checkbox"/> 8 Storage                                |  |                          |   |
| <input type="checkbox"/> 9 Other   |  |                          |   |
| Remarks:<br><br>This project includes approximately 2416 LF of 12" and 3454 LF of 8" water main, 11 fire hydrants and related appurtenances to serve 61 lots of The Residences at West Lake. |  |                          |   |

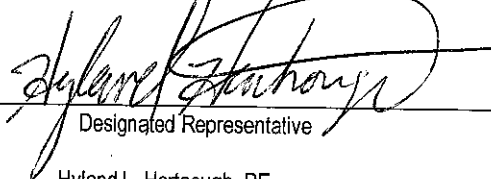
By initiating improvement of the approved supply, the applicant accepts and agrees to abide by and conform with the following:

- THAT the proposed works be constructed in complete conformity with the plans and specifications approved this day or approved amendments thereto.
- THAT the proposed works not be placed into operation until such time as a Completed Works Approval is issued in accordance with Part 5 of the New York State Sanitary Code.
- THAT pressure and leakage testing of the proposed works will follow pertinent American Water Works Association Specifications.
- THAT disinfection of the proposed works will follow pertinent American Water Works Association Specifications. (Two consecutive days of acceptable bacteriological water sample results).
- THAT a NYS licensed professional engineer submit certification that he or his designated representative has witnessed the construction, testing and disinfection procedures as per conditions a., c., & d. above.
- THAT a Completed Works Approval will not be issued until the Water Supply Permit has been issued by NYS DEC.

ISSUED FOR THE STATE COMMISSIONER OF HEALTH

February 23, 2012

Date



P.E.

Designated Representative

Hyland L. Hartsough, PE  
Public Health Engineer 2

Name and Title (print)

Nirav R. Shah, M.D., M.P.H.  
Commissioner

**NEW YORK**  
state department of  
**HEALTH**

*Rec'd 2-24-12*  
Sue Kelly  
Executive Deputy Commissioner

February 23, 2012

RSM West Lake Road, LLC  
197 West Main Street  
Victor NY 14564

RE: **REALTY SUBDIVISION**  
The Residences at West Lake  
(APPROVAL - Realty Subd. Plans)  
Canandaigua (T) - Ontario County

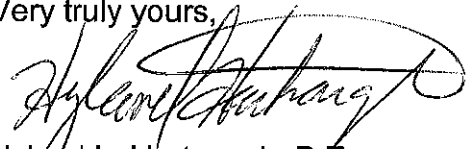
Gentlemen:

Pursuant to 10 NYCRR 74 and 6 NYCRR 653, we have reviewed and approved application documents, including plans, submitted by your engineer for the above-referenced realty subdivision. A copy of our CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION (form DOH-1330) is attached for your records.

We direct your attention to the conditions stated on the DOH-1330 form. This approval is subject to each and all of the conditions.

One copy of the plans is being retained for our files. Distribution of remaining copies is indicated below.

Very truly yours,



Hyland L. Hartsough, P.E.  
Public Health Engineer 2

HLH:jm\77-12  
enc.

pc: BME Associates - Attn: Mr. Eldred, PE (w/DOH-1330, mylar & print)  
Ontario County Clerk (w/ DOH-1330)  
Canandaigua Town Building Dept. - Attn: Mr. LeClair, CEO (w/ DOH-1330 & print)

# Certificate of Approval of Realty Subdivision Plans

TO:

RSM West Lake Road, LLC  
197 West Main Street  
Victor NY 14564

This certificate is issued under the provisions of the Public Health Law

in connection with the approval of plans on February 23, 2012 for your realty subdivision  
known as The Residences at West Lake - Canandaigua Town, Ontario County

The following information was furnished in connection with the submission of the plans.  
West Lake Road

Location \_\_\_\_\_

Acres (approx.) 72.1± No. of lots 61 Size (approx.) 20,000± sf

Owner intends to Build houses

Topography Rolling with some steep slopes

Depth to Ground Water 10' When 8/11/2005

Soil sandy silt  
28' max cut - 8' max fill

Grading (cut or fill) \_\_\_\_\_

Drainage gutters and swales to closed system to ponds

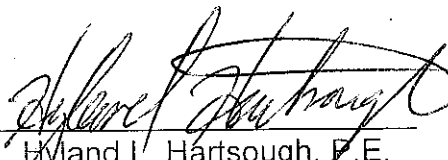
Water Supply Canandaigua Consolidated WD

Sewage Treatment Ontario County, County Sewer District

Approval of this subdivision is granted on condition:

1. That the proposed facilities for water supply and sewage treatment are installed in conformity with said plans.
2. THAT no lot or remaining land shall be subdivided without plans for such resubmission being submitted to and approved by the NYSDOH Geneva District Office.
3. THAT plan approval is limited to 5 years from the approval date. Time extensions for plan approval may be granted by the NYSDOH Geneva District Office based upon development facts and realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
4. THAT the approved plans must be filed with the County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.
5. THAT all local and State agency rules and regulations shall be complied with.

BY:

  
Hyland L. Hartsough, P.E.  
Senior Sanitary Engineer

# New York State Department of Environmental Conservation

## Division of Water, Region 8

6274 East Avon-Lima Road, Avon, New York 14414-9519

Phone: (585) 226-5450 • Fax: (585) 226-9485

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



February 17, 2012

Mr. William Wright, P.E.  
Commissioner of Public Works  
Ontario County Public Works  
2962 County Road 48  
Canandaigua, New York 14424-9553

Dear Mr. Wright:

### **THIS IS NOT A SPDES PERMIT**

RE: Approval of Plans - Sanitary Sewer Extension  
The Residences at West Lake PW# 2011  
Canandaigua (T), Ontario County

The plans for the subject project are approved. Approval is subject to the following conditions:

- 1) **THAT** this letter shall be maintained on file.
- 2) **THAT** the facilities shall be fully constructed and completed in compliance with the engineering plans and specifications as approved.
- 3) **THAT** the construction of the facilities shall be under the supervision of a person or firm qualified to practice professional engineering in the State of New York under the Education Law of the State of New York.
- 4) **THAT** the professional engineer shall certify to the Department and to the permittee that the constructed facilities have been under his supervision and that the works have been fully completed in accordance with the approved engineering reports, plans, and specifications. For the Department, such certification shall be submitted to Region 8, 6274 East Avon-Lima Road, Avon, New York 14414, written within sixty days of the completion of construction.
- 5) **THAT** the construction of the facilities shall commence by March 1, 2014 and be fully completed by March 1, 2017.

Mr. William Wright, P.E.

February 17, 2012

Page 2

- 6) **THAT** the leakage outward or the infiltration in all new sanitary sewers shall not exceed 100 gallons per inch of sewer pipe diameter per mile per day for any section of such sewers including manholes, and that all sections of sewers shall be tested with results going to the NYSDEC Region #8 office at Avon.
- 7) **THAT** adequate erosion control measures shall be employed during all phases of construction and that a stormwater management SPDES General Permit is required as per 40 CFR Section 122.26.

This Department does not assume responsibility for the design of your facilities. Our review is a sanitary engineering examination of processes rather than a complete, detailed review of design. The licensed professional engineer who designed the facilities is responsible for the structural, electrical, mechanical, and other design aspects of the project.


The total project as approved includes the following components:

6091 linear feet of 8" diameter SDR-35 PVC sanitary sewer.  
33 sanitary sewer manholes.

Other interested parties are being advised of this approval by copy of this letter as shown below.

FOR THE STATE COMMISSIONER  
OF ENVIRONMENTAL CONSERVATION

Approved by:

  
Craig S. Jackson, P. E.  
Environmental Engineer 2

cc: Mike Simon, BME Associates  
Nicholas Rich, Director, NYS Department of Health- Geneva District



# Fix Spindelman Brovitz & Goldman

A PROFESSIONAL CORPORATION • ATTORNEYS AT LAW

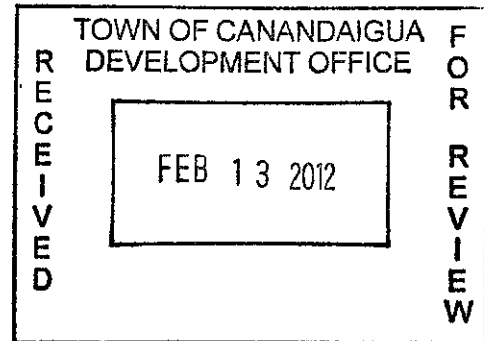
Please Reply to  
**James J. Bonsignore Esq.\***  
 Principal  
 E-mail: [jbonsignore@fixspin.com](mailto:jbonsignore@fixspin.com)  
 Web Address: [www.fixspin.com](http://www.fixspin.com)  
 \* Admitted in New York and Connecticut

295 Woodcliff Drive  
 Suite 200  
 Fairport, New York 14450  
 Telephone: (585) 641-8000  
 Fax: (585) 641-8080

February 13, 2012

*Via facsimile and first class mail*  
 585-226-9485

Craig Jackson, P.E.  
 Environmental Engineer II – Water Division  
 NYS Dept. of Environmental Protection – Region 8  
 6274 East Avon-Lima Road  
 Avon, New York 14414-9516



Re: The Residences at West Lake, Canandaigua, Ontario County  
 Storm Water/Sanitary Sewer Management

Dear Mr. Jackson:

I am counsel for RSM West Lake, the developer of the aforementioned project. Your correspondence of January 17, 2012 has been directed to me for response, although I understand that you have been speaking with Mike Simon from BME Associates regarding this issue.

I have reviewed the content of your letter and, while we appreciate your concerns, the issues you raise in your January 17, 2012 letter are untimely by nearly eleven months.

I direct your attention to Toni Cioffi's correspondence of February 10, 2011 (copy attached). As you can see by that correspondence, permit coverage, based on the existing, proposed storm water management program, was to commence sixty days from the day of DEC's receipt of the NOI, or January 27, 2011. Pursuant to that the letter, the SWPPP was delivered to the regional office within five business days of the Cioffi letter. A copy of the hand delivery transmittal form from BME associates is attached as well.

Never, at any time during the sixty-day statutory review period, nor at any time thereafter until your correspondence nearly a year later, did the project engineer or applicant receive any comment from the DEC. Therefore, permit coverage for the storm water prevention plan, *as*

**New York State Department of Environmental Conservation**

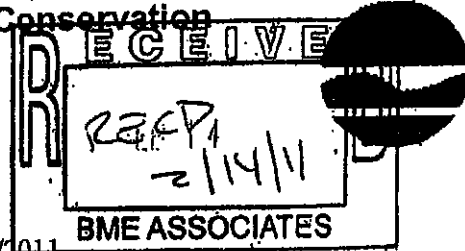
**Division of Water**

**Bureau of Water Permits, 4th Floor**

**625 Broadway, Albany, New York 12233-3506**

**Phone: (518) 402-8111 • Fax: (518) 402-9029**

**Website: www.dec.state.ny.us**



2/10/2011

**RSM WEST LAKE ROAD, LLC  
STEVE MANCINI  
197 WEST MAIN STREET  
VICTOR NY 14564**

**Re: ACKNOWLEDGMENT of NOTICE of INTENT for  
Coverage Under SPDES General Permit for Storm  
Water Discharges from CONSTRUCTION  
ACTIVITY General Permit No. GP-0-10-001**

**Dear Prospective Permittee:**

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-10-001 for the construction activities located at:

**RESIDENCES AT WEST LAKE, THE  
WEST LAKE ROAD (SOUTH OF WYFFELS)  
CANANDAIGUA NY 14424- County: ONTARIO**

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, ECL Article 70, discharges in accordance with GP-0-10-001 from the above construction site will be authorized 60 business days from 1/27/2011 which is the date we received your final NOI, unless notified differently by the Department.

The permit identification number for this site is: NYR 10T620. Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on 1/27/2011 is accurate and complete.
2. You have developed a Stormwater Pollution Prevention Plan (SWPPP) that complies with GP-0-10-001 which must be implemented as the first element of construction at the above-noted construction site.
3. Activities related to the above construction site comply with all other requirements of GP-0-10-001.

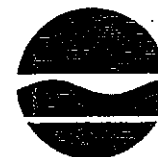
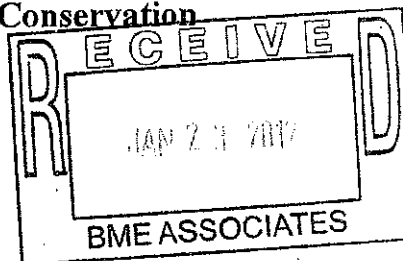
**New York State Department of Environmental Conservation**

**Division of Water, Region 8**

6274 East Avon-Lima Road, Avon, New York 14414-9516

Phone: (585) 226-5450 • Fax: (585) 226-9485

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

January 17, 2012

Mr. Mike Simon  
BME Associates  
10 Lift Bridge Lane East  
Fairport, New York 14450

RE: Post Construction Stormwater Management  
The Residences at West Lake  
Canandaigua (T), Ontario County

Dear Mr. Simon:

A detailed review of the post construction stormwater management for this project was performed in conjunction with the sanitary sewer extension. The stormwater treatment for the last pond (H) and the water quality treatment for that area with a CDS unit has raised some flags on the design meeting the stormwater permit design requirements.

I have had numerous discussions with Dave Gasper in our Albany office about the design of this project using a dry pond and CDS unit. The final decision is that the area in question does not meet the requirements of the construction stormwater SPDES permit.

The problems identified with this post construction stormwater are:

- (1) The water quality treatment follows the water quantity management practice at Pond H. Water quality management precedes water quantity management. If the CDS units are only for the road drainage downstream of Pond H, then what will provide water quality treatment to the flows from the road drainage and homes entering Pond H?
- (2) A CDS treatment unit is only allowed for a redevelopment projects and is not an accepted practice for new construction. The allowed practices for new development are sand filter systems listed in the NYS Design Standards or the recently approved systems using the ZPG filter units.
- (3) There are drainage swales in the proposed contours between the houses along the east side of Road "A". These swales change into sheet flow before draining into Pond "H". Over time these swales will develop into channelized flow into Pond "H" with the potential of sediment buildup in the pond.
- (4) Will the trail path to and around Pond "H" provide the necessary width and be strong enough to allow for access of maintenance equipment?

# New York State Department of Environmental Conservation

## Division of Water, Region 8

6274 East Avon-Lima Road, Avon, New York 14414-9516

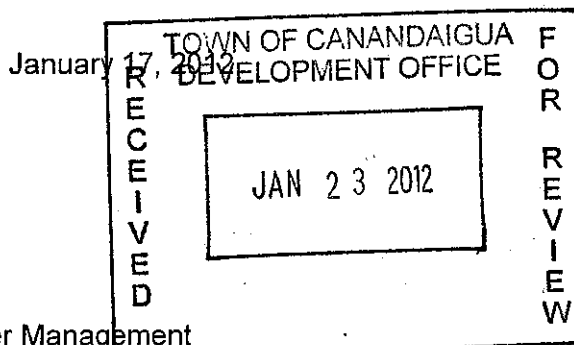
Phone: (585) 226-5450 • Fax: (585) 226-9485

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Joe Martens  
Commissioner

Mr. Mike Simon  
BME Associates  
10 Lift Bridge Lane East  
Fairport, New York 14450



RE: Post Construction Stormwater Management  
The Residences at West Lake  
Canandaigua (T), Ontario County

Dear Mr. Simon:

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- (4) Will the trail path to and around Pond "H" provide the necessary width and be strong enough to allow for access of maintenance equipment?

# Town of Canandaigua

5440 Route 5 & 20 West  
Canandaigua, NY 14424  
(585) 394-3300  
FAX (585) 394-3767

Established 1789

October 21, 2011

BME Associates  
10 Lift Bridge Lane  
Fairport, NY 14450

Mr. Mike Simon:

Per our conversation on October 18<sup>th</sup> 2011 on the easement for the eight inch water main to be installed for the future expansion of the RSM development off of West Lake road in the Town of Canandaigua. I will agree to allow this under the following conditions.

1. A 12 foot wide permanent easement to the town of Canandaigua on tax parcel # 112.04-1-2.175
2. The eight inch water main will be HDPE DR-11 DIP that will be directional drilled threw the lawn area to the road to minimize any ground disturbance.
3. At the end of the HDPE it will have a MJ adaptor fused to the HDPE to attach to the DR-14 PVC water main.
4. All appendages to connect to the existing eight inch water main on Riley's run will be by Tyler pipe.
5. The tapping sleeve will be a Mueller H-615 8x8x8 tee ductile iron.
6. The tapping valve to be a Mueller T-2360 8 inch M.J. x FL. end open left.
7. Mega lug for PVC pipe to be use on all valves, elbows, tees.
8. Concrete thrust blocks will be places where needed.
9. Disinfection and pressure testing will be performed by contractor and observed by a represented of MRB Group.
10. A tracer wire will be placed with the HDPE when pulled threw the ground.
11. Backfilling in road will be crusher run # 2 compacted in one foot lifts.
12. Pavement will be 3 inches of binder and 1.5 inches of type 7F
13. Tack coat to be placed on joint to seal out water.

14. The pressure reducing vault will be by Ross valve out of Troy NY.

Jim Fletcher

2145  
DNZ  
Revised  
10/26/11

Proposed Description of  
a Utility Easement (UE-2)  
to RSM West Lake Road, LLC

ALL THAT TRACT OR PARCEL OF LAND containing 1,882 square feet more or less, situate in the Phelps and Gorham Purchase, Township 9, Range 3, Town Lot 79, Town of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "The Residence At West Lake, Easement Plan," prepared by BME Associates, having drawing number 2145-32, last revised October 26, 2011, being more particularly bounded and described as follows:

Commencing at a point, said point being on the center of the Cul-De-Sac of Rileys Run (60' Right-of-Way) having a centerline station of 0+00.00; thence

- A. N 74°11'06" E, a distance of 70.00 feet to the Point of Beginning; thence
  - 1. N 74°11'06" E, a distance of 158.22 feet to a point; thence
  - 2. S 00°31'24" W, a distance of 12.50 feet to a point; thence
  - 3. S 74°11'06" W, a distance of 155.73 feet to a point; thence
  - 4. Northerly, along a curve to the left, having a radius of 70.00 feet, a distance of 12.06 feet to the Point of Beginning.

EASEMENT PLAN

RILEYS RUN

(60' RIGHT-OF-WAY)

CENTERLINE STATION  
0+00

P.O.C.

N74°11'06"E  
70.00'

P.O.B.

L=12.06'  
R=70.00'

N74°11'06"E  
574°11'06"W

UE-2

PROPOSED 12' WIDE EASEMENT TO  
RSM WEST LAKE ROAD, LLC

N/F  
KENNY KUCK & LAYLA PITT  
T.A. No. 112.04-01-2.175  
LOT 175

N/F  
LEWIS & CHARLENE SMITH  
T.A. No. 112.04-01-2.176  
LOT 176

CAPPED REBAR SET

N23°22'11"E

CAPPED REBAR SET

170.65'

S00°31'24"W

12.50'

S00°31'24"W

137.56'

S00°31'24"W

N/F  
RSM WEST LAKE ROAD, LLC  
T.A. No. 112.00-01-24.1





# *Town of Canandaigua*

5440 Route 5 & 20 West  
Canandaigua, NY 14424  
(585) 394-3300  
FAX (585) 394-3767

*Established 1789*

November 22, 2010

BME Associates  
10 Lift Bridge Lane East  
Fairport, NY 14450

Mr. Mike Simon;

A letter to follow up our conversation today about the RSM development. The question in regards to allow the instillation of the water main in the first phase of the development will be acceptable to the town once I see the final approved drawings where the first and second phase will stop and start. RSM will need to connect to the water main that is in Lakewood Meadows, the Mack resident or to the north to our pressure reducing vault before any homes in the second phase of construction are built. Once the water main has passed inspection and an approval from the Department of Health can there be a certificate of completion issued from the Town of Canandaigua building inspector. If none of these requirements are met the second phase of construction will not proceed.

The Town will create a drainage district for the detention and sediment ponds to be maintained by the Town of Canandaigua. The ADS units will be maintained by the homeowners association per a contract to a qualified company for the maintenance of these units. The cost to pay for this will be charged to the HOA. If maintenance is not followed as the manufacture recommends the town will maintain them and back charge the HOA for this service.

James Fletcher

*James Fletcher*

Town of Canandaigua  
Highway and Water Superintendent

**New York State Department of Environmental Conservation**

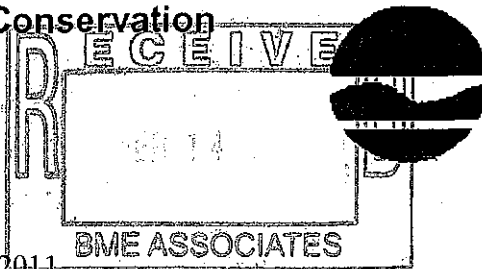
**Division of Water**

**Bureau of Water Permits, 4th Floor**

325 Broadway, Albany, New York 12233-3505

**Phone:** (518) 402-8111 • **Fax:** (518) 402-9029

**Website:** www.dec.state.ny.us



2/10/2011

RSM WEST LAKE ROAD, LLC

STEVE MANCINI

197 WEST MAIN STREET

VICTOR NY 14564-

**Re: ACKNOWLEDGMENT of NOTICE of INTENT for  
Coverage Under SPDES General Permit for Storm  
Water Discharges from CONSTRUCTION  
ACTIVITY General Permit No. GP-0-10-001**

Dear Prospective Permittee:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-10-001 for the construction activities located at:

**RESIDENCES AT WEST LAKE, THE  
WEST LAKE ROAD (SOUTH OF WYFFELS)  
CANANDAIGUA NY 14424- County: ONTARIO**

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, ECL Article 70, discharges in accordance with GP-0-10-001 from the above construction site will be authorized 60 business days from 1/27/2011 which is the date we received your final NOI, unless notified differently by the Department.

The permit identification number for this site is: NYR 10T620. Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on 1/27/2011 is accurate and complete.
2. You have developed a Stormwater Pollution Prevention Plan (SWPPP) that complies with GP-0-10-001 which must be implemented as the first element of construction at the above-noted construction site.
3. Activities related to the above construction site comply with all other requirements of GP-0-10-001.

# Supplemental Full Environmental Assessment Form

for

## Final Subdivision and Site Plan

## The Residence at West Lake

Dated: December 8, 2009

*(Revised March 1, 2010)*

Prepared By:

BME | ASSOCIATES  
10 Lift Bridge Lane East  
Fairport, New York 14450  
Contact: Douglas B. Eldred, P.E.  
(585)377-7360

All of the potentially significant impacts associated with this application were identified and addressed in documents that were previously prepared, submitted and approved under the Preliminary Plan application. These documents include the June 28, 2008 Draft Environmental Impact Statement (DEIS) for "The Residence at West Lake Marine Club", the October 16, 2008 Final Environmental Impact Statement (FEIS) for "The Residence at West Lake Marine Club" and the November 12, 2008 Town of Canandaigua Planning Board "Adopting the SEQRA Findings and Recommending Approval of Area Variances for The Residence at West Lake Marine Club (CPN-125-05, CPN -087-08)" (SEQRA Findings). We would recommend referring to these documents for greater detail on any or all of the potential impacts that may be of concern.

Based on the size and intensity of the current proposal with the minor modifications it appears that there will be less of an impact than what was presented and approved under the Preliminary Plan. Below we have categorically followed Section 4 of the June 28, 2008 DEIS to review the potential impacts. In each area we have provided a brief narrative of how the impacts have changed.

#### 4.A Need, Purpose and Benefits of the Project

The concept of the project in this respect has not changed; it is the intension of the applicant to provide a high quality and aesthetically pleasing residential development along Canandaigua Lake. The community will benefit by creation of a project offering a unique lifestyle with design and uses that will compliment the scenic lakeside setting of the neighborhood. The community will also benefit by a net real estate tax increase of approximately \$2 million dollars per year and permanent preservation of woodlands, wetlands, steep slopes and other lands through conservation easements and designated open spaces.

NET IMPACT CHANGE – The Final Plan will still fulfill the same Need and Purpose however the total tax revenue will go down slightly with the reduction of 8 homes.

4.B Land Use, Zoning and Planning - The size and number of lots in the Final Plan conforms to current zoning and variances approved for the RLD lots, previously established zoning standards for the SCR-1 lots, and land use trends in this area of the Town. A site density calculation was performed for the SC-1 District and a yield of 51 lots was determined. This calculation considers the relatively new Zoning amendment which no longer allows preparation of a conventional plan to determine density in the SCR-1 zoning district and no longer allows any reserved open space or conservation areas to be included within the individual lots. The approved Preliminary Plan had 55 lots in the SC-1 District hence the revised plans reduces the number of SCR-1 lots by 4 lots. The RLD District previously had 14 lots; this has now been reduced to 10. The two lots included on the German Brothers parcel have been eliminated and 2 lots adjacent to the Johnson Homestead lot are now eliminated.

NET IMPACT CHANGE – There will be a reduction of 8 lots within the subject property and the modified Final Plan has conformed to the open space Zoning amendment eliminating all open space areas from the lots.

4.C Open Space and Recreational Opportunities – Under the current proposal, there is a portion of the land that will become HOA-owned open space lands. These lands will be under the ownership and maintained by the Homeowners Association. All HOA Open Space will be used for the recreation and enjoyment of the residents within the development.

Recreational uses that may be fostered for the residents on the site include hiking, walking, cross country skiing and bird watching.

The Town currently assesses a \$1000 parks and recreation fee for the development of each new residential lot. Thus, in addition to providing recreational activities for its own residents, the project would contribute \$61,000 to the Town to maintain and expand its existing parks and recreational facilities.

NET IMPACT CHANGE – The proposed modified Final Plan will still provide the same passive and active open space and recreational opportunities as the previously approved plan for the residents of the development. There will only be a slight reduction in the park fee contribution with the reduction of the 8 lots.

Additionally, by keeping the German Brothers marina in tact, there will be no displacement of the patrons who currently dock or moor their boats there. The marina will still serve the general boating population by continuing to provide recreational opportunities and well as repair, service, fueling, storage and the sale of general boating supplies.

4.D Land – This section took into account a number of different areas of consideration including impervious surfaces and construction related disturbances. Both the impervious surfaces and the construction related disturbances will be slightly reduced and the same approve mitigation measures will be implemented.

NET IMPACT CHANGE - By developing the site as currently proposed versus the previously approved plan there will be a decrease in the amount of impervious areas and well as less earthwork and grading. Albeit a small percentage difference this will reduce the total runoff and decrease the amount of lost vegetation and displaced soil.

4.E & F Natural and Water Resources - The overall development of the storm water management system along with the erosion and sediment control plan will minimize the impacts to the natural and water resources to the maximum extent practicable. The applicant will be obtaining permit coverage under NYS DEC Permit GP-0-10-001 for the proposed construction activity. This Permit will require regular and documented site inspections and regular maintenance.

The project will be served by the City of Canandaigua water supply via existing infrastructure along County Road 16. Based on the NYS DEC permitted withdrawal from Canandaigua Lake and historical usages, the project water use will not have a significant impact on the quantity or quality of the water system.

NET IMPACT CHANGE – With the reduction of the total number of lots/ homes the overall impact on natural and water resources will be reduced. There will be less disturbance, less impervious surfaces generating runoff and less demand on the municipal water system.

4.G Traffic and Access – Access to the proposed subdivision will be off a public road, which will be developed as part of the project. The traffic impact study submitted with the preliminary plan indicated that there would be no significant impacts with the additional vehicles trips being added to the road network. The levels of service associated with the development entrance and with Wyffels Road to the north will not be compromised with the proposed development.

NET IMPACT CHANGE - Although it was previously anticipated that the German Brothers marina would not be operating under current conditions the adopted Findings make reference to a condition with the previously approved Marine Club by stating that “It is anticipated that traffic volumes on County Road 16 may actually be mitigated *slightly* after completion of the Marine Club during times when the existing commercial marina draws the most vehicles.” The reference above of “*slightly mitigated*” suggests that the existing marina does not contribute a significant amount of traffic to the County Road 16 network. There will also be (11%+-) fewer trips generated with the elimination of 8 homes.

4.H Aesthetic Resources- The existing vegetation will be inventoried and preserved to the maximum extent practicable in order to provide a natural buffer between the development site and County Road 16. Regarding the 61-lot home site subdivision, there is little to no change in the aesthetics of the Final subdivision from the approved Preliminary plan.

NET IMPACT CHANGE - There will be no appreciable visible aesthetic change with the Final subdivision. There will be fewer homes developed with less chance of visibility from various vantage points.

4.I Growth and Character of the Neighborhood – The proposed development is consistent with the neighboring residential uses. The overall density of the project is less than 1 residence per acre, in accordance with the adopted Comprehensive Plan and Zoning Ordinance. The new upscale homes with high quality architecture and construction materials will not negatively impact the existing homes in the neighborhood. The Lakewood Meadows Subdivision to the immediate west is of similar density to the proposed plan.

NET IMPACT CHANGE – The planned residential development will not negatively impact the character of the neighborhood. The intensity of use will be increased as a result of converting dormant farmlands and wooded/field areas to the proposed residential use. As the development will be used in a manner consistent with the Town's Zoning Ordinance any impacts from the change in intensity will not adversely impact the character of the neighborhood.

4.J Historic/Archeological Resources – A Phase I and Phase IA Cultural Resource Investigation for the entire Johnson property was performed, which outlined the history of the property including the existing homestead. It was determined that the homestead structure was not State or National Register of Historic Places eligible. The Investigation recommended that no further archeological investigations were warranted for the project.

NET IMPACT CHANGE – There will be not impact change to any resources in this regard.

4.K Noise and Odors - Noise and odors above the existing ambient background levels will only be present during the construction phases of the project. This will mainly be resultant from construction equipment working on the site. This will be temporary in nature and hours of operation will be within the limits of the Towns Ordinance.

NET IMPACT CHANGE – No significant noise or odor related increase in environmental impacts is expected from the development. Peak noise levels, other than during construction, will be similar to those that currently exist.

4.L Utilities – The proposed development has available public water, sewer, gas and electric all of which have enough capacity to serve the needs of the proposal. It does not appear the any utilities have limitations to serve the development.

NET IMPACT CHANGE – As this proposal is less intensive than the approved Preliminary Plan, there will be less of an impact than was originally proposed.

The proposed plan is not appreciably different than what the Planning Board granted Preliminary approval to on November 12, 2008. The impacts associated with this proposal could in fact in several areas be considered less than those outlined in the DEIS given that there is a total of 8 less homes with the modified Final Plan. The Planning Board's adopted Resolution included the following;

"The action authorized by this Board is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating conditions to the approval those mitigating measures that were identified as practicable"



TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
CPN 133-09 – RSM WEST LAKE LLC – TMP 112.00-1-24.100  
6<sup>TH</sup> EXTENSION OF CONDITIONAL FINAL SUBDIVISION APPROVAL

**WHEREAS**, the above referenced subdivision was given conditional final approval by the Planning Board on March 9, 2010; and,

**WHEREAS**, pursuant Article 12-b, §276-b, part 7 of NYS Town Law, the applicant originally had 180 days from that date of approval to submit final plans verifying compliance with all conditions imposed as part of the conditional final approval; and,

**WHEREAS**, the above referenced part of NYS Town law also gives the Planning Board authority to extend the time for submission of said final plans for additional periods of not more than 90 days each, if they are of the opinion that circumstances warrant such an extension; and,

**WHEREAS**, the conditional final approval has been extended five times previously and is scheduled to expire on November 30, 2011; and,

**WHEREAS**, in a letter dated November 15th, 2011 the applicant requested a sixth 90 day extension and indicated that they have finalized an agreement with neighboring landowners to allow a second water line access but need additional time to complete dedication of the easement to the Town and secure needed signatures; and,

**WHEREAS**, it is the position of this Planning Board that an extension of 90 days is warranted to allow the applicant time to complete the aforementioned process and submit final plans for signature,

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board hereby grants the request for a 90 day extension until February 28, 2012, to allow the applicant additional time to submit final plans that comply with the conditional Planning Board approval of March 9, 2010.

The above Resolution was offered by Joyce Marthaller and seconded by Charles Oyler at a regularly scheduled Planning Board Meeting held on November 22, 2011. Following discussion, a voice vote was recorded:

Thomas Crawford - aye

Richard Gentry - aye

Joyce Marthaller - aye

Charles Oyler - aye

Thomas Schwartz - aye

I, Leslie C. O'Malley, Secretary to 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 November 22, 2011 meeting.

Leslie C. O'Malley L. S.  
Leslie C. O'Malley, Ph.D.  
Secretary  
Town of Canandaigua Planning Board

