

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

PLANNING BOARD

Tuesday, February 22, 2011, 6:30 p.m.

APPROVED MEETING MINUTES

MEETING CALLED BY: Thomas Schwartz

BOARD MEMBERS: Thomas Crawford, Richard Gentry, Joyce Marthaller, Charles Oyler

SECRETARY: Leslie O'Malley

STAFF MEMBERS: Timothy Jensen, Director of Development,
Excused: Christian Nadler, Planning Board Attorney; Gregory Hotaling, MRB Group, Town Consulting Engineer

APPLICANTS: Karl Essler, Fix Spindelman Brovitz and Goldman; Mike Simon and Bob Cantwell, BME Associates; David Riedman, Riedman-Wegman Joint Ventures; Mary Boatfield, Terrie Myer and Roy Beecher, Happiness House; Greg McMahon, McMahon LaRue; Jess Sudol, Passero Associates; Andrew Tyman, Finger Lakes Community Development and Geneva Housing Authority; Rocco Venezia, Venezia Associates; Charles Potter

AUDIENCE: Lew Smith

Pledge of Allegiance

Introduction of Board Members and Staff

Overview of Emergency Evacuation Procedures

BOARD BUSINESS

- ☐ **Approval of February 8, 2011 Meeting Minutes**

C. Oyler moved to approve the Minutes of the February 8th meeting. R. Gentry seconded. The motion passed by a voice vote of five ayes.

- ☐ **Referrals from Town Board:** *None at this time*
- ☐ **Recommendations to Zoning Board of Appeals:** *None at this time*
- ☐ **Recommendations to the Code Enforcement Officer:** *None at this time*
- ☐ **Privilege of the Floor:** *No one asked to speak.*
- ☐ **Attest to publishing of legal notices:** *No legal notices were required.*
- ☐ **Other Business as Required:**
 - **CPN-133-09, RSM West Lake LLC, third extension of conditional Final Subdivision Approval**

Karl Essler from Fix Spindelman Brovitz and Goldman, and Mike Simon from BME Associates appeared for this application. K. Essler explained that they have a verbal agreement with the owner of a neighboring property for water line access. Unfortunately, he is out of the country and will not return until after their last extension expires on March 5th. Another issue, the HOA (Homeowners' Association) agreement, has been completed and submitted to the Board Attorney today. The Town Engineer has seen it and has no objections.

The attorney said that New York State Town Law now allows more than two 90-day extensions if the Planning Board so chooses. He consulted with the Director of Development (DOD) and the Board Attorney on this.

The Chair asked Mr. Jensen to comment on this in light of the Town's Code limiting the Planning Board to two 90-day extensions. Does the more restrictive apply? The DOD said that the State has removed the limit. It is up to the Planning Board whether to grant a third extension. Are the applicants moving forward in good faith? The Town Code was written prior to this change and has not yet been amended. He and Mr. Nadler believe Town Law takes precedence in this case. The applicant appears to be very close to resolving the remaining issue.

J. Marthaller asked if anything else remains to be resolved. T. Jensen said nothing. T. Schwartz enquired about the final plat. M. Simon said yes, the Highway/Water Superintendent and the Town Engineer are willing to sign it as soon as the applicants' have a liber and page for the water easement. The State DOT (Department of Transportation) and the County have no issues.

The Chair asked the Secretary to be sure that the Minutes reflect the applicants' actions in resolving the obstacles to final approval.

C. Oyler moved to approve a third 90-day extension to end on June 3, 2011. T. Crawford seconded. All Board members voted aye in a voice vote and the motion was carried.

- **CPN-104-10, Riedman-Wegman Joint Ventures, rezoning property from R-1-20 to MR, SEQR Status Update—no action taken pending continuing review and decision to be made by the Town Board**

CONCEPTUAL SITE PLANS / SUBDIVISIONS:

CPN-004-11 Riedman-Wegman Joint Ventures representing Metrose Builders, owners of property at 5100 Bristol Road, TM# 83.00-1-7.000, are requesting a second conceptual subdivision review for a two lot subdivision in the R-1-20 zoning district. (See CPN-104-10 rezoning application to MR submitted to the Town Board)

R. Cantwell from BME Associates and David Riedman appeared for this application. R. Cantwell began by saying that the concept plan has been modified to reflect Board concerns and suggestions. They have incorporated an hourglass design with additional green space gained by moving the buildings. Parking has been downplayed as requested.

R. Cantwell continued by saying that he provided a photograph of their Orchard Park mail/recycling center to respond to questions about its visual effect. In his opinion, it looks more like a small office building. In addition, sidewalks in front of all buildings and adjacent to the parking areas are now indicated on the plans. He commented that this plan is a creative streetscape and more aesthetically pleasing than the previous one.

The Chair complimented the applicants on shifting more of the parking to the ends of the building. It is less obtrusive.

J. Marthaller said it looks great. Where will the community center and recycle/mail areas be located? T. Cantwell said the community center building remains in the same location—by the main entrance. The recycle/mail building will be west of it. Otherwise, it would interrupt the green space. The goal was to make both buildings easy to access.

J. Marthaller asked how often is the trash picked up. R. Cantwell did not know. D. Riedman later said it depends upon how many people are moving in and discarding boxes. Normally, every 10-14 days is sufficient for a development of this size since trash is compacted. He pointed out where the doors are located for removing the compactor bins.

R. Gentry commented that the new plan is aesthetically pleasing and much better than the earlier version. R. Cantwell responded that grading will be more of a challenge but it can be done.