

# *Town of Canandaigua*

5440 Routes 5 & 20 West  
Canandaigua, New York 14424

## **MINUTES**

### **CITIZENS' IMPLEMENTATION COMMITTEE MEETING**

**TUESDAY, MAY 1, 2018, 9:00 A.M.**

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**Committee Members Present:** Sarah Reynolds  
Doug Finch  
Gary Davis  
Ray Henry  
Tom Schwarz  
Oksana Fuller  
Joyce Marthaller  
Kevin Reynolds  
Tom Schwartz  
Pat Venezia

**Guests Present:** Chuck Oyler, Chairperson, Drainage Advisory Committee

**Members Absent:** Kelly LaVoie

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➤ **CALL TO ORDER**

The meeting commenced at 9:05 am

➤ **PRIVILEGE OF THE FLOOR**

None at this time.

➤ **REPORT OF THE DEVELOPMENT OFFICE**

None at this time

➤ **REFERRALS**

None at this time.

➤ **OLD BUSINESS**

None at this time.

➤ **NEW BUSINESS**

Chuck Oyler - Last fall, based on a storm that occurred in July 2017 and on a Town Board analysis, it was decided the Committee would look at the inventory and all drainage issues that came to light as a result of the storm. At a meeting that was held on August 9<sup>th</sup>, we looked at

addresses and locations on a spreadsheet. Chris Jensen has been keeping track of this and if something is resolvable, I make a note of it and track it on a spreadsheet and a map. The green dots represent where the issues have come up, and the red dots reference a number on the spreadsheet. A lot of hits are localized, mostly to West Lake Road. A couple of hits are near Sandy Cove and FLCC. As you get out to the more rural areas, the problems go away. We know where the focus needs to be.

Sarah Reynolds: Are these things we know about or complaints?

Chuck: Both. These are the result of the meeting we had on August 9<sup>th</sup>. In attendance were Rich Krebbs, Kathy Page, the Highway Superintendent, Town Engineer, Kevin Olvany, Mechanical Engineer, and Chris Jensen, MS4 Coordinator. These meetings are held twice a month on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays at 11:00 am. We're going to move the meetings to the courtroom, due to the turnout. I've been on site visits to residents' properties on West Lake Road and up on Hillcrest. The issue on Hillcrest is the water coming down on some properties at the top of the hill. Some of these residents came to the meeting, as well as some neighbors who came to lend their support.

We came up with a Master Plan that MRB is now working on, and they will present it to the residents, who will take it to their HOAs. We might have to replace one pipe. Doug Finch has been encouraging everyone to get going on one project.

Doug Finch: There has not been approval for any money to be spent this year for that drainage project. There is no money in the budget.

Chuck: Jim Fletcher said he can do some of the work himself. There are other projects we are working on. The County Commissioner of Public Works, Bill Wright, came in and met with us. The County was going to pave County Rd. 16 from Wyffels Road to Rte. 21. Kevin, Jim, and the Committee convinced them to look at the drainage issues and get those fixed before they get going with the hydraulic study of all the cross pipes on County Rd. 16. The issues are controlling the water going up the hill and the pipes. We are lucky to have Kevin Olvany, who breaks down watersheds into sub-watersheds. It can be broken down to which drainage pipe is working – if the system is working. If not, a red flag goes up. The Town Board had asked MRB to look at existing inventories and determine a Drainage Master Plan that would have all drainage areas defined and to come up with a recommendation of how these would be fixed and how much money it would cost to do it.

Joyce Marthaller: Would this redefine the drainage districts we have now?

Chuck: It could.

Joyce: Then these districts become larger (for funding) if redefined? Would there be a maintenance fee?

Chuck: Doug wants them to look into a Township-wide drainage district.

Doug: Chuck is getting into the details of what is impacting the water. Do we break it down into the pros and cons?

Chuck: Setting up a funding mechanism is always an issue at budget time. Looking at a drainage project, major stream restorations – if you had to dedicate funding sources that would allow more money for other things that are occurring in Town government. It would almost be like a utility.

Tom Schwartz: Does a drainage district side step the budget cap issue?

Doug: All the special districts have to go under the cap.

Joyce: Is there a time frame for recommendations to the Town Board, so this conversation can start at the Town Board level? After you completed your review, was there any direction from the Town Board? Did your Committee have a responsibility for an annual report? I hope that we start that conversation as soon as possible. This is about taxation.

Chuck: I see our priority to be addressing the issues we know about and to come up with possible solutions. Sometimes we find that an issue may be related to one we already had. The next step would be developing the Drainage Master Plan. Kevin Olvany is finding that water is being diverted from the water sheds. The next thing would be working with the County. We agreed in our Committee meeting that we would look at all of these issues and the County would look at them, as well. The County is very possessive of its right-of-way. Every time I drive down County Rd. 16, I see drainage pipes of different sizes. There are a lot of issues there. We need to work on the problems we have, get the Drainage Plan together, and start looking at funding sources, including (probably) drainage districts, to do this. Time wise, we're looking at a couple of years out.

Tom: I heard about possible funding sources via a Finger Lakes regional group working on pollution prevention.

Doug: The 2018 window opened today (May 1<sup>st</sup>) for the Funding Application (CFA). MRB is an annual state grant/funding application that is an umbrella app for many types of funding.

Doug: Climate Mitigation is a program that we might be able to tap into to get some monies to help (on the planning side). We need to have a well-defined plan.

Chuck: The County wants to see that you're serious. It's good that we have a Drainage Committee.

Doug: Have you talked about the water quality projects, i.e., Sucker Brook projects on Rtes. 5 & 20 and County Rd. 30.

Chuck: We talked about water quantity, as well as water quality side of it; it's a side benefit of that.

Kevin Reynolds: The answer is we have not been looking at it, because we have been looking at other problem areas.

Doug: One under the college by the Canoe Pond has the potential of helping some of the residents.

Chuck: Fallbrook – keep 69% from going to Sandy Cove.

Tom: What are the rules regarding the wetlands behind Sandy Cove?

Doug: You can do Wetland Restoration Projects, but there are many things you have to do first.

Chuck: When the lake is up, the water comes back into the wetlands.

Tom: What are any other municipalities doing?

Doug: Regarding the area near the college, the County came to us because there's nobody in Hopewell to talk to.

Joyce (to Chuck): You are doing a great job.

Chuck: Does the Board want me to come to a meeting?

Doug: I think everybody is reading the minutes.

Chuck: We are a forum for residents to come to the meeting; we give them time to make their presentations. We are usually able to give residents some kind of assurance that (most of) their issues are valid and something that we can take care of. Private vs. public property – a lot of the issues are on private property. One resident's water had been diverted to the side of the house and was getting into his basement. A neighbor had taken brush and positioned it such that it created this problem. The solution was to get the pile out of there. Chris Jensen said there wasn't anything he could do because a landscaper (who had been doing work for the neighbor) had put it there.

Kevin: Do we need a code that says you can't change the drainage system without a permit? We would then have an enforcement position.

Tom: Like on Hillcrest – who owns the drainage system? Does the Town own it?

Doug: The Town tries to impose a tax to make improvements to the drainage system. Hillcrest has its own drainage district; we're supposed to collect a fee/tax to maintain the storm water ponds.

Chuck: Drainage is the Town's responsibility. For everything else, residents go to their HOAs.

Kevin: Various infrastructure is on parcels that are privately owned.

Tom: Design standards – Can we articulate that a municipality can go into it?

Chuck: No.

Doug: The Planning Board can make sure that roads are built to the Town's specifications. That would eliminate a lot of these problems.

Chuck: Design standards – I think these are going to help a lot with the standards of private roads vs. public roads.

Tom: In the standards, we did not prescribe a right-of-way.

Chuck: We are looking into applications.

Joyce: Was there a comment regarding if we are planning to have a major watershed and sub-watershed plan? If we had something we could refer to, we could see the problem better and many applications on County Rd. 16 would benefit.

Chuck: You can take a drainage study where you have problems; when you look at an application, you can see a pipe needs replacing.

Joyce: A study would help us to be more cognizant of everything we need to be aware of.

Oksana: The Town made them change the driveway on landings. The road was straight, and they made them curve it. I noticed in one of your meetings that the County was not happy with the drainage of RSM. Can that be changed?

Chuck: They won't issue a permit for it the way it stands. Tim McGillicut (sp?), PE County Engineer, is the one who is doing a hydraulic analysis for the cross pipes.

Doug: I suspect this may be a legal issue because many of the state laws were grandfathered in.

Oksana: Regulations change as years go on.

Joyce: The limit - two years or whatever – ‘you must comply’.

Chuck: When the subdivision was filed or recorded, if improvements were not put in by the required amount of time, the surety would cover these improvements.

Chuck: We will keep you informed. Invite me back or our Committee whenever you want to see us again.

Oksana: If a resident wants to come to one of your meetings, should we let you know ahead of time?

Chuck: It would be beneficial so we can make sure there’s time in the agenda. They can show up and come in, but without prior knowledge, we can’t guarantee there will be time to address their questions/concerns.

Sarah: Will an updated map be provided?

Chuck: Yes, Chris Jensen is working on it.

Chuck: We will have the map with push pins at the Open House for people to look at and add to. At Doug’s request, we are looking at some concerns that two residents at Onanda had with the creek. Residents are really concerned about the water coming down and flooding the area.

Oksana: Do applications go to the Drainage Committee?

Doug: Not yet, because there isn’t a referral process in place yet.

Joyce: The ECB is needing a recommendation for applications to be sent to the Drainage Committee. They were a bit dismayed that they got a message that they did not have the right to send anything to the Drainage Committee for a review. We will send it to you (Chuck, MRB).

Doug: The ZBA does consider themselves a quasi-judicial board. They kind of consider themselves separately.

Joyce: OK, but information should not be kept separate.

Sarah: So there is no official channel for the Drainage Committee to review applications?

Doug: Not yet.

Joyce: We can make a referral to the ZBA.

Chuck: If there are any more comments for Design Standards, please let Sarah know.

Sarah: Michael Stapleton, CEO of F.F. Thompson Hospital, is coming to speak to the Economic Development Committee today at noon. Everyone is welcome to attend.

Tom Schwartz was recognized for receiving the Heisenbuttal Award for Planning Excellence from the NYPF at their 2018 conference. The CIC received the Town Comprehensive Plan Award.

➤ **MEMBERS' REPORTS**

None at this time.

➤ **UPCOMING MEETING TOPICS**

May 15<sup>th</sup> – Karen Dworaczyk is coming to give us a brief report on the Concept Mapping Project, how the data turned out, and what to do with that data. There will be more on this at the joint meeting on May 21<sup>st</sup> at 5:00 pm. There is also a ribbon-cutting ceremony at noon the same day.

They will be looking at funding legislation in the state budget.

We are going to be talking about Open Space before it goes to the public meeting, which is tentatively scheduled for June 18<sup>th</sup> at 5:00 pm (before that night's Town Board meeting).

**ADJOURNMENT AND NEXT MEETING**

NEXT MEETING MAY 15<sup>TH</sup>.

MEETING WAS ADJOURNED AT 10:45 AM.