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Sent: Friday, September 29, 2017 12:17 PM
To: 'Joyce Marthaller'; 'Brabant, Lance'; 'Tom Schwartz'; 'Chris Nadler';
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Gaspar'; 'Davey, Edith M'; 'Director of Development';
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Subject: RE: Ridgeline Draft Law - 9/28/17

Comments:

The proposed code does not read like a code.. it reads like more of a guideline for responsible ridgeline development.

As written, the amount of material that the applicant would have to provide in order for the code official to write an official determination based on this proposed code would place an undue burden/cost on the applicants.

In order for this code to be effective... there should be a statement like we have in our 'Special Use Permit' code... which leaves the majority of the Interpretation of this section of code up to the Planning Board.

Because the duty of a Zoning Officer is to make an official determination. We cannot make determinations on words like 'visually subordinate', 'harmoniously', 'sufficient', 'detract from harmony', practicable, significant, kept to a minimum, emphasis, conform, large...etc..

The Town Planning Board shall require that all provisions of this article shall be complied with, but where it is deemed appropriate by the Town Planning Board, any of these provisions contained in §§ 220-34 through 220-62, inclusive, may be waived by the Planning Board based upon findings as set forth in the public record on said application.

And there are several sections that read 'The Planning Board Shall Require Applicants to submit plans/documents'. It is the duty of zoning officer.. PRC.. etc.. to make sure an application is complete prior to sending to Planning Board. The Planning Board can request additional information/plans... but they shouldn't see the project until the application has been deemed complete. We should modify to read that it is the burden of the applicant to provide what plans and documents that they see as

sufficient to present before the Planning Board to make a determination on visual impact. The Planning Board reserves the right to request additional information/documents/testing/field observations...etc..

Lighting. - remove 'cutoff features' and 'shaded' neither are actual terms. The entire section is contradictory.
One section does not allow flood lights.. but the next reads that flood lights shall have hoods.
One section reads '45 degree' and the next says 'horizontal plane' (that is 90degrees)

Keep only item #4 and add - All lighting shall be full cutoff (dark-sky compliant).

Check with Ag and Markets on Timber Harvesting... It is an agricultural operation.