

December 1, 2015

MEMO

To: Town Board, Town of Canandaigua
From: Citizen's Implementation Committee
RE: Project Teams – 2015

The Citizens Implementation Committee (CIC) has reviewed the status of each of the five project teams and would like to share that information with you; as well as, make specific recommendations for your consideration.

AG TEAM

Goal 1: Establish a regulatory and economic framework that supports the protection and continued development of agriculture.

– Step 3: “Develop and implement a Town of Canandaigua Farmland Enhancement Program.”

As you are aware, the Ag Team has spent a considerable amount of time during 2015 preparing a detailed RFQ/RFP that you have authorized to be issued. The Ag Team is anticipating proposals be received by November 20, 2015 in response to the RFQ/RFP that was let in early October. On November 5, 2015, the Ag Team held a discovery meeting attended by four consulting firms interested in the opportunity to work with the Town of Canandaigua. It is expected the Ag Team will review the proposals on December 3, 2015 and make a recommendation to the CIC. The CIC is looking forward to reviewing the proposals on December 15, 2015 and subsequently make a recommendation to the Town Board for the December 21, 2015 meeting.

The timeline is anticipated as follows:

January through July 2016 – fact finding, research, and stakeholder meetings;
August through November 2016 – draft plan submitted to CIC, the Town Board, and the NYS Department of Agriculture and Markets;
December 2016 – introduce draft and set Town Board public hearing;
January 2017 – SEQRA and adopt plan by Town Board;
Spring 2017 – begin review, audit of town code re: farm friendly community

CIC RECOMMENDATION: *It is anticipated the CIC will recommend a consulting firm be chosen to assist the Ag Team in preparation for the December 21, 2015 Town Board meeting. The CIC recommends the Town Board hire a consultant to begin working with the Ag Team in order to complete the Ag Plan during 2016.*

NRI TEAM (Natural Resources Inventory)

Goal 3 : Ensure the protection of the Town's natural resources.

– Step 2: “Determine if Natural Resources Inventory, which replaced Limited Development Overlay, is successful in preservation of significant environmental features; revise if necessary. A) Review/Revise the process for triggering ECB review. B) Request Town Board add Natural Resources Inventory to Town Code.”

The Natural Resources Inventory (NRI) Team is working at the present time on a proposal for your consideration relative to the topics of steep slopes, ridgelines, and shorelines. Additionally, the NRI Team will be working on a narrative to accompany proposed code updates for your consideration in the future.

The NRI Team is proposing, and the CIC is recommending, the section of Town Code § 220-8 (currently reserved) be used for the purposes of incorporating protection pertaining to the Natural Resources in the Town of Canandaigua. The addition of the protection of Natural Resources to the actual Town Code will enable search functions and more readily available access than attempting to search an independent document as currently exists.

The NRI Team has offered, and the CIC is recommending, the following timeline:

Steep Slopes

January 2016 – draft local law to CIC;
Feb/March 2016 – draft local law to Planning Board;
March 2016 – introduction of local law / set public hearing Town Board;
April 2016 – SEQRA and consideration of local law by Town Board.

Ridgelines

April 2016 – draft local law to CIC;
May 2016 – draft local law to PB;
June 2016 - introduction of local law / set public hearing Town Board;
July 2016 - SEQRA and consideration of local law by Town Board.

Shorelines

August 2016 – draft local law to CIC;
September 2016 – draft local law to PB;
October 2016 – introduction of local law / set public hearing Town Board;
November 2016 – SEQRA and consideration of local law by Town Board.

CIC RECOMMENDATION: The CIC recommends the Town Board utilize a reserved chapter of the Town Code §220-8 to be titled Natural Resource Protection. As work continues, the NRI team and CIC working through the Planning Board will offer specific draft local laws for Town Board consideration.

CONSERVATION EASEMENT TEAM

Goal 7 : Conserve and maintain the land that provides critical open space and scenic resources.

– Step 1: “research conservation programs for tax abatements or incentives available to landowners.”

The Conservation Easement Team was charged with taking on the Town of Canandaigua’s Comprehensive Plan (Goal 7 Action Step 1) action step, “research conservation programs for tax abatements or incentives available to landowners.” The CIC believes the Conservation Easement Team has completed their work by researching a number of programs and making specific recommendations to the CIC.

Based on the work completed by the Conservation Easement Team, the CIC would like to offer the following recommendations to the Town Board organized into short, intermediate, and long term steps:

SHORT TERM STEPS:

- 1) The CIC would like to request that the Town Board authorize a public outreach meeting in conjunction with Finger Lakes Land Trust to share information about the opportunity for voluntary conservation programs. The CIC would recommend that property owners with at least 30 acres be contacted via mail, information about the meeting be posted on the Town website, and via Mail Chimp. The CIC would also recommend the ECB take the lead on working with the Finger Lakes Land Trust to identify willing property owners to explore voluntary conservation easement programs.
- 2) The CIC would like to recommend the Town Board consider code updates that encourage and enhance conservation of lands to protect and enhance biological diversity, protection of steep slopes, and protection of ridgelines, offering buffers on riparian areas, and logging. Many of these items are currently being considered by the NRI Team, and the CIC would like to recommend the Town Board encourage the NRI Team to consider these items for codification as the NRI Team continues their work.
- 3) The CIC would like to recommend the Town Board consider opportunities for voluntary restrictive covenants through the Planning Board process. The CIC would recommend the Planning Board take the lead on exploring opportunities for options to utilize open space and conservation areas as a means to promote natural buffers to development. These opportunities could be achieved through the Planning Board’s traditional subdivision review and consideration, and serve as a means to promote open space.

INTERMEDIATE STEPS:

- 1) The CIC would like to recommend the Town Board look into opportunities where a right of first refusal tool might be able to be used for landowners who wish to have their property entered into a conservation easement program.
- 2) The CIC would like to recommend the Town Board continue to partner with Finger Lakes Land Trust and other local groups; as well as, the NYS Department of Agriculture and Markets on agriculture protection through the Farmland Protection Implementation Grant Program (PDR).

LONG TERM STEPS:

- 1) The CIC would like to recommend the Town Board consider as a longer term option the possibility of a transfer of development rights (TDR) program. Due to the level of development occurring in the Town of Canandaigua, a tool like a TDR program could be utilized to conserve open space in designated areas of the Town, while trading credits for greater density in other portions.
- 2) The CIC would like to recommend the Town Board consider the outright purchase of land as it pertains to valued open space protection lands. The purchase of these parcels could be acquired through the Open Space Fund.
- 3) The CIC would like to recommend the Town Board further look into the legal options that may exist to create special districts by petition for landowners who wish to voluntarily enter into a conservation district. These conservation districts would be created by a petition of Town residents to the Town Board. Property owners who wish to voluntarily enter the conservation district could be assessed a fee on their property tax bill to assist with the administration of the conservation district.

FUNDING STREAMS:

- 1) The CIC would like to recommend the Town Board consider a new fee for new construction in order to fund the Open Space reserve. The CIC fully understands the legality of such a fee, and the funding of the open space reserve would have to be explored. Due to the level of new development occurring in the Town of Canandaigua, the amount of open space is steadily declining. A fee linked to new development to further protect open space should be considered.
- 2) The CIC would like to recommend the Town Board consider an annual appropriation from the unexpended fund balance to the Open Space Fund each year. An example the Town Board may wish to consider would be an annual appropriation of \$ 100,000 from unexpended fund balance.

- 3) The CIC would like to recommend the Town Board explore what other municipalities have done to create and maintain a conservation fund such as Tompkins County.

CIC RECOMMENDATIONS: *The CIC recommends the Town Board consider the following:*

- 1) *Establish a new \$ 1,000 fee for all new construction to fund open space;*
- 2) *Make an annual appropriation from unexpended fund balance to open space fund, for example \$ 100,000 annually;*
- 3) *Consider the outright purchase of important open space lands;*
- 4) *Explore conservation programs such as Tompkins County;*
- 5) *Host a public outreach meeting with Finger Lakes Land Trust;*
- 6) *Consider adoption code updates to enhance Natural Conservation Resources;*
- 7) *Consider code updates to give the Planning Board authority to require conservation space through subdivision review;*
- 8) *Research opportunities for a right of first refusal conservation program;*
- 9) *Continue to support the PDR program for Agriculture;*

Longer Term Considerations:

- 10) *Consider a TDR program;*
- 11) *Explore and consider the creation of conservation special districts;*

SEWER MASTER PLAN TEAM

Goal 9: Limit the expansion of sewer and water services to those areas of the Town where increased growth and development is most appropriate.

– Step 1: “Develop a Town of Canandaigua Sewer Master Plan.”

As you are aware, the Town Board of the Town of Canandaigua has hired MRB to complete a Sewer Master Plan. The need for a Sewer Master Plan was identified through the CIC’s strategic planning session and identified as one of the top five priority action items for 2015. In March 2015, the Town Board confirmed the top five priority action items including the need for the Sewer Master Plan.

It is our understanding the recommended outcomes from MRB and the Sewer Master Plan Team may differ, as MRB is obligated to recommend possible sewer projects to the Town Board. The Sewer Master Plan Team will likely be recommending tools for utilization of the Sewer Master Plan in keeping with the work by MRB such as easy to follow maps to identify where sewer (development) is envisioned.

Additionally, it is the understanding of the CIC that the Sewer Master Plan Team will have maps of all sewer locations in the Town of Canandaigua, and a limited amount of narrative to accompany those maps. The CIC would like to offer to meet with the Sewer Master Plan Team at the conclusion of their work, to assist with the writing of a narrative to accompany that Sewer Maps that are in keeping with the Comprehensive Plan.

The Sewer Master Plan Team has offered, and the CIC is recommending the following timeline:
January 2016 – draft maps to CIC;
Feb/March 2016 – draft maps to Planning Board and Town Board;
April 2016 – SEQRA and consideration of acceptance of sewer master plan maps by Town Board.

CIC RECOMMENDATION: *The CIC recommends the following items to the Town Board as it pertains to the Sewer Master Plan Team:*

- 1) *The CIC would like to meet jointly with the Sewer Master Plan Team in order to capture a narrative to accompany the sewer maps;*
- 2) *The sewer line expansion possibility area shall stop at Risser Road when traveling North on County Road 28;*
- 3) *The sewer line expansion possibility area shall not include an addition to the RLD;*
- 4) *Onsite Wastewater Treatment Inspection requirements (local law) shall be enacted rather than sewer expansion in the RLD;*
- 5) *Work with the City of Canandaigua to explore the connection of Grandview Park to the City of Canandaigua’s Wastewater Treatment facility without showing an expansion area all the way along Ontario Street Extension.*

MIXED USE OVERLAY TEAM (MUO)

Goal 13: Maximize opportunities for large and small scale commercial development within the Town without compromising the Town’s natural, scenic, cultural and historic resources.

– Step 3: “Review and consider code updates to the Mixed Use Overlay districts to maximize opportunities for commercial development.”

The Mixed Use Overlay has only met a few times in 2015; however, the team has been able to make recommendations which have already been implemented including changes in the MUO-2 border (Gateway area) of the Town of Canandaigua. The MUO Team has many more items to consider in the coming months.

At this time the anticipated schedule for the MUO team is to break each section of the Mixed Use Overlays in the Town of Canandaigua into different meetings to fully address current and potential development opportunities.

The MUO Team has offered, and the CIC is recommending, the following timeline:

MUO – 2 (Gateway)

January / Feb 2016 – meeting to discuss opportunities;
March 2016 – draft proposal to CIC (perhaps including code updates);
April 2016 – draft proposal to Planning Board;
May 2016 – draft proposal to Town Board;

MUO – 1 (Uptown)

March 2016 – meeting to discuss opportunities / review FL Institute report;
April 2016 – draft proposal to CIC (complete streets / code updates / business park / town park / trails / industrial / stakeholder);
June 2016 – draft to CIC;
July 2016 – draft referral for comment to PB;
August 2016 - introduction of proposal to Town Board;

MUO – 3

May 2016 – meeting to discuss opportunity;
August 2016 – draft proposal to CIC;
Fall 2016 – draft proposal to PB / Town Board;

CIC RECOMMENDATION: *The CIC would like to recommend the timeline identified above for each of the specific Mixed Use Overlay areas. It will be important to involve the Planning Board in the review of each area, as the recommendations would pertain to long term planning for the Town of Canandaigua. The Planning Board has also previously expressed an interest in code modifications to these areas of the Town in order to make the buildings more attractive from the main roadways, and lessen the impact on impervious surface (large parking areas). The CIC would also recommend the Town Board consider the “Complete Streetscapes and Form-Based Zoning” concept in order to give direction to the CIC, Planning Board, and Development Office for future construction as it pertains to sidewalks, bike lanes, and overall walk-ability.*

SUMMARY AND CONCLUSION OF RECOMMENDATIONS:

The CIC would like to thank the members of the individual project teams, the Planning Board, Zoning Board of Appeals, Environmental Conservation Board, and the Town Board for all of their hard work and time during 2015 to fully implement the Town of Canandaigua’s Comprehensive Plan and the progress achieved to date.

Building on our success in 2015, the CIC is confident the recommendations outlined will help us continue to achieve new heights in 2016 and respectfully request Town Board consideration.