

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

DRAINAGE ADVISORY COMMITTEE

Established October 16, 2017

TUESDAY, AUGUST 14, 2018, 11:00 A.M.

MINUTES—APPROVED

Meeting Called by: Charles Oyler, *Chairperson*

Committee Members Present: Richard Krebs
Kathy Page

Town Representatives: Doug Finch, Town Manager
James Fletcher, Town Highway Superintendent
Greg Hotaling, MRB Group, D.P.C.
Kevin Olvany, Canandaigua Lake Watershed Council
Thomas Schwartz, Canandaigua Planning Board
Chairperson

Guests: None

1. CALL TO ORDER BY THE CHAIR

Mr. Oyler called the meeting to order at 11:00 a.m.

2. APPROVAL OF MINUTES OF JULY 10, 2018

The minutes of the July 10, 2018, meeting were approved as amended. The minutes will be posted upon the Drainage Advisory Committee web page and will be distributed to the Town Board members and Town staff via e-mail.

3. UPDATE ON FINGER LAKES COMMUNITY COLLEGE PROJECT

Mr. Olvany: Reported that Ontario County has approved the wetland delineation of the Finger Lakes Community College (FLCC) project. The delineation will begin in the next few days. Following completion, a Request for Proposals (RFP) will be issue for the en-

gineering work. Grants and funding for the wetland delineation and the construction of the project have been approved.

Mr. Olvany: Said that a verbal commitment has been received from David Genecco—the adjacent property owner—for an easement through his property which will be required for this project.

4. DRAINAGE AREA MAPPING STATUS

Mr. Oyler: Said that the mapping and delineation of the drainage areas and drainage structures in the Town, being done by the Watershed Association, will be a key component of the Committee's work as we move forward, and will form the basis of the Committee's reports, i.e., identifying problem areas, what is needed to repair them, estimating the costs of drainage projects, and determining funding sources.

Mr. Olvany: Said that mapping along portions of the lakefront has been completed and that the Watershed Council staff will resume work in mid-September.

5. REPLACEMENT OF CULVERTS ON COUNTY ROAD 16

Mr. Oyler: Reported that a prompt response was received from Timothy G. McElligott, P.E., of the Ontario County Department of Public Works Engineering, regarding Mr. Oyler's request for an update on the County Road 16 culvert replacement project, as follows:

The plan for 2018 is to repair/replace three (3) culverts at the following locations:

1. CR 16 Culvert #36: Repair failed outlet @ #4417 CR 16, adjacent to Davidson Landing.
2. CR 16 Culvert #44: Replace failing corrugated metal culvert @ #4164 CR 16.
3. CR 16 Culvert #47: Replace failing corrugated metal culvert @ #4126 CR 16.

We've been working with the constituents at each of these locations for a few years and need to deliver on the work we promised. Culvert #36 is a 30-inch diameter reinforced concrete pipe of adequate size to pass the 50-year and 100-year events without overtopping. Outlet pipe sections have failed and have created issues with the highway embankment on the east side of CR 16 that must be repaired. Culverts #44 and #47 are 18-inch corrugated metal pipes that will be replaced with new 18-inch pipes.

We're installing the largest pipes we can and still avoid all of the existing underground utilities. The existing pipe bottoms are corroded and at each culvert a private utility is located inside each culvert that provides a means for the utility to cross CR 16. We're working with the constituents at each location to remove the private utility and relocate parallel to the new culverts.

No other culvert work is planned until we complete our hydrologic and hydraulic analysis of the culverts between NY 21 and Wyffels Road (59 total).

As for the hydrologic and hydraulic analysis, we've completed the data collection phase and will begin the analysis phase in the fall. Depending on workload, we may ultimately bring in a consulting firm to assist us with the analysis work. Once we complete the analysis work, we'll then develop a plan of action and define funding options. The goal is to begin work on drainage improvements in 2021.

—Timothy G. McElligott, P.E., July 20, 2018

6. HILLCREST DRIVE DRAINAGE

Mr. Oyler: Reported on a meeting which he held with Gary Humes (4960 Hillcrest Drive) and Keith Cutri (4963 Hillcrest Drive) regarding the diversion of stormwater runoff into a basin on Mr. Cutri's property, resulting from the proposed work on the Novak property. This project has been proposed to the property owners following a series of meetings over the past few months by the Drainage Advisory Committee with the Hillcrest Drive residents. The project would require access easements from Mr. Cutri and from Greg Novak (4964 Hillcrest Drive) upon whose property much of the work would occur.

Mr. Fletcher: Reported on a meeting which he also had with Mr. Cutri. Mr. Fletcher explained that Mr. Cutri's property had been divided into two separate lots and that the stormwater basin is located on Lot #2A.

Mr. Fletcher: Said that some of the residents on Hillcrest Drive are not comfortable with a drainage project which would channel water onto the property of others. He also said that the Town has no easements over the properties on which the proposed work would be done.

Mr. Fletcher: Recommended that the proposed drainage project be referred to the property owners on Hillcrest Drive and/or to their homeowners' association for their approval. He said that at this point there is nothing more that the Town or the Drainage Advisory Committee can do without the approval of the property owners.

Mr. Oyler: Said that the drainage issues were first brought to the attention of the Town by Mr. Cutri which resulted in a project that has been developed by the Town engineering firm following a number of meetings with the residents.

Mr. Finch: Said that the Town has spent approximately \$5,000 on engineering plans for the proposed Hillcrest Drive drainage mitigation project.

Mr. Olvany: Suggested that either Mr. Cutri be requested to grant an easement on his property for the drainage work or that the Landings Drainage District be dissolved.

Ms. Page: Suggested that the property owners and the homeowners' association be informed of the situation and asked for their opinions.

Mr. Fletcher: Asked about the goal of an easement if it were to be obtained upon Mr. Cutri's property. Mr. Hotaling said that the Town expanded the drainage basin prior to Mr. Cutri having purchased the property.

Mr. Fletcher: Suggested that the Drainage Advisory Committee advise the homeowners' association of the need for the required easements over private property. He said that the onus should be on the property owners on Hillcrest Drive to agree to the drainage plan.

Mr. Oyler: Said that the property owners on Hillcrest Drive must agree on the implementation of the drainage plan now that the Drainage Advisory Committee has identified the problem and has developed a plan to correct it. Mr. Oyler will compose a letter to be sent to the Hillcrest Drive homeowners' association regarding this.

7. CONSOLIDATION OF DRAINAGE DISTRICTS

Mr. Oyler: Discussed a report from Town Attorney Christian Nadler (July 25, 2018) in which Mr. Nadler discussed the process of consolidating the existing individual drainage districts into one Canandaigua Consolidated Drainage District (CCDD). The process would take approximately four months to complete and involve the requirements of New York State Town Law and New York State General Municipal Law regarding public notices, hearings and permissive referendums (*see attachment*).

Mr. Finch: Distributed 2019 Drainage district budget worksheets. Hillcrest Drive is located in the Landings Drainage District which has a fund balance of \$9,424 as of December 31, 2017. The most recent assessment on the properties within this district was in 2015 (*see attachment*).

Mr. Finch: Said that several Town Board members have questioned a tax levy for drainage work upon properties which do not have drainage issues and whose properties are not currently located in the established drainage districts. He said that there would be a question of Town Board support for a proposal to consolidate the existing drainage districts

and to levy taxes on properties upon which drainage district taxes are not currently levied.

Mr. Finch: Discussed the varying tax rates among the existing drainage districts, for example: \$3.57 per unit in 2018 in the Lakewood Meadows Drainage District and \$31.45 per unit in 2018 in the Waterford Point Drainage District.

Mr. Hotaling: Suggested that a Town-wide drainage district could be funded through a line item in the Town budget to avoid creation of a district and another layer of record-keeping.

Mr. Finch: Suggested that the Town could establish a Drainage Reserve Fund.

Mr. Olvany: Said that drainage issues are manifesting themselves more in the Town of Canandaigua and that services demanded by Canandaigua residents are higher than in other towns in the region.

Mr. Finch: Said that the tax rate would increase by 5 cents per \$1,000 of assessed value for the Town to raise \$250,000 (\$50 for the average assessed home in Canandaigua). He said that this tax increase would be in addition to all other taxes and assessments.

Mr. Olvany: Said that personnel and equipment costs would have to be considered. He said that a drainage line item in the budget would provide a local share of funding when seeking matching grant applications [for drainage projects].

Mr. Oyler: Said that the thought of consolidating the existing drainage districts could eventually lead to a Town-wide drainage district but that the consolidation of the existing districts may not be a good idea at this point due to push-back by the Town Board. He suggested ultimately the consideration of a drainage utility in the future as a way to cover the costs of drainage projects on a Town-wide basis.

Mr. Oyler: Said that the Committee would have a better idea of the locations of the drainage issues, the costs of mitigation, and the impact of the projects upon the Town budget following completion of the study of all the drainage systems in the Town with the use of the drainage area mapping discussed earlier in the meeting.

8. DRAINAGE ISSUE: LAURA LANE

Mr. Oyler: Said that the watercourse on the north side of Laura Lane has become filled with silt and debris through the years. Water diverts onto private property following rains. Mr. Oyler said that cleaning the silt and debris from the stream could take care of most of the drainage concerns. He noted that a portion of the stream runs through property owned by the City of Canandaigua.

Mr. Oyler: Reported that Town Board Member Gary Davis received a Wetland Delineation Request Form from Scott E. Sheeley, Regional Permit Administrator, Division of Environmental Permits, New York State Department of Environmental Conservation, as follows:

Dear Mr. Davis:

In response to your phone call, I am forwarding a Wetland Delineation Request Form. The site of interest is located on the north side of Laura Lane in the Town of Canandaigua, Ontario County. The property is near or contains portions of State-regulated Freshwater Wetland CL-8. A permit is required for activities conducted within the wetland and within 100 feet of the wetland, including any stream modifications or drainage work.

To begin planning any project(s) within the wetland or within 100 feet of the fee of the wetland, you may request that the location of the wetland boundary be located on your property. To do this, you may fill out the attached Wetland Delineation Request Form and return it to our Bureau of Habitat. I've copied this e-mail to Mr. Scott Jones, who is the regional Bureau of Habitat manager.

Once the wetland boundary is delineated, further discussion of project options will be possible.

—Scott E. Sheeley, July 10, 2018

Mr. Oyler: Forwarded the Wetland Delineation Request Form to Mr. Olvany and to Mr. Jensen for assistance in completing and filing the form.

Mr. Olvany: Said that since a portion of the wetland is located within the City of Canandaigua, the City may not want the water to flow at a higher rate as it makes its way to Canandaigua Lake.

Mr. Fletcher: Said that the stream could possibly be cleaned and that a drainage structure could be installed downstream to hold back the velocity of the water.

Mr. Finch: Said that when the Drainage Advisory Committee reaches the point of identifying a possible solution to a drainage issue, the project should be referred to the Town Board for a decision and funding consideration.

9. NEXT STEPS

- a. Laura Lane follow-up: Completion and filing of Wetland Delineation Request Form (Mr. Olvany, Mr. Jensen).

- b. Canandaigua Consolidated Drainage District (CCDD): Further discussion or follow-up.

10. NEXT MEETINGS AND ADJOURNMENT

The meeting scheduled on August 28th has been cancelled.

The next meeting of the committee will be:

Tuesday, September 11, 2018 11:00 a.m. Canandaigua Town Hall

Subsequent meetings will be:

Tuesday, September 25, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, October 9, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, October 23, 2018	11:00 a.m.	Canandaigua Town Hall

The meeting was adjourned at 12:20 p.m.

Respectfully submitted,

_____ L.S.
John M. Robortella

Attachments:

Memo from Town Attorney Christian Nadler, re: Consolidation of Canandaigua Drainage Districts

2019 Drainage District Budget Worksheets

E-mail distribution:

Krebs, Richard
Oyler, Charles
Page, Kathy

cc. to:

Bloom, Tina
Brabant, Lance
Chrisman, Jean
Cooper, Eric
Davis, Gary
Dworaczyk, Linda
Fennelly, Terry
Finch, Doug
Fletcher, Jim
Hotaling, Greg
Jensen, Chris
Marthaller, Joyce
McCumiskey, Kaitlynn
Olvany, Kevin
Reynolds, Kevin
Reynolds, Sarah
Rowlinson, Michelle
Schwartz, Tom
Westbrook, Greg