

From: [Doug Finch, Town Manager](#)
To: "[Cathy Menikotz](#)"; "[Gary Davis](#)"; "[Jared Simpson](#)"; "[Linda Dworaczyk](#)"; "[Terry Fennelly](#)"
Subject: FW: Public Comments -- RSM & Tichenor Point Drive
Date: Friday, January 29, 2021 12:57:00 PM

FYI – these are the questions we mentioned today in our meeting.

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From: Doug Finch <DFinch@townofcanandaigua.org>
Sent: Saturday, January 16, 2021 10:14 AM
To: Cathy Menikotz <cmenikotz@townofcanandaigua.org>
Subject: Fwd: Public Comments -- RSM & Tichenor Point Drive

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From: "Jean Chrisman" <jchrisman@townofcanandaigua.org>
To: "'Doug Finch, Town Manager'" <dfinch@townofcanandaigua.org>
Date: Thu, 14 Jan 2021 15:07:10 -0500
Subject: Public Comments -- RSM & Tichenor Point Drive

Good Afternoon,

Well, here are the comments from the two Monday night public hearings. The draft minutes will not include all this discussion but I wanted you to have as much detail as possible.

Let me know if you need anything further.

3950 County Road 16 (RSM property)

Questions / Comments from the Public:

1. Has the Town assessed the utilization of our existing waterfront parks that offer the same services as these proposed new parks? Do we know how close we are to capacity at those

parks so that we know that there is indeed a need for additional parks that offer those services?

2. Encouraged Town Board to look at what access is required. What is it that the community really wants? What is different today than what we used to have in the community? It may depend on the level of restriction that the community has on the use of Canandaigua Lake at those existing access points versus needing additional access points.
3. Sees the purchasing these parcels as an investment in for the future. If the Town has attractions on Canandaigua Lake that future residents want to use it may affect their decision to purchase property in the Town of Canandaigua. The Town is better off in the long run. Believes that the Tichenor Point Drive property is a great opportunity but would really like to see both parcels purchased.
4. As taxpayers for the last 36 years in the Town of Canandaigua, they are puzzled by comments about the safety and swimming. In talking about going out 350 feet, why does this make a difference. Understands that Kershaw Park was not open for swimming and that has vast area of footage with a sandy bottom, shallow water, very safe and does not understand why that is not more utilized. While driving down County Road 16, German Brothers does a great operation, and they are terrific businesspeople. But they have boats and trailers on both sides of the road. On the weekends it is very busy. It is congested. They have witnessed very close calls down there many times. Would like an answer regarding long term here, how will a pedestrian cross the road from the opposite from where the parking is going to be down to the steep slope? Why is a 50-foot floating dock that valuable for swimming? Will there be lifeguards? What is the cost of lifeguards? Has the Town factored in the insurance costs for liability? Once someone drowns down there the Town is going to have tremendous liability or if someone gets hit crossing the road the Town will have another liability. Where will the restrooms going to be? Where will 20 people parking in the parking lot going to use restrooms? It actually makes no sense for this particular parcel. What are people going to do on the dock, stand there and look at the Lake? Can they swim off the dock? Will they be supervised when they swim off the dock? It is a very small parcel that has limited access. What is the developer going to do with the remainder of the land? Is the Town looking to acquire that in the long term? There is a question of safety, sight distance along that road, steep slopes, liability and lifeguards, and a lot of expenses that the Town has not thought about.
5. They have visited both parcels of land. The old Johnson homestead house is a neat house but does not know what kind of shape it is in now. It is a great hiking area. When developing the Trails Master Plan, the Town was looking for more areas for hiking. This is an area where there will be a connection between County Road 16 and Middle Cheshire Road. Tichenor Point is a gem. This is a great opportunity and does not know when another opportunity will come up to purchase property in the Town of Canandaigua like these two.
6. They own property south of the RSM property. What concerns them the most would be the environmental impact but also crowds, traffic, parking, access to parking, potential need for restrooms, hours of operation, etc. They are wondering if people are at the existing parks long after the stated closing times. He worries about much larger crowds at this park.
7. Not often do properties like this come available. Being a Town resident and trying to use Kershaw Park has been very hard. They have been to Onanda Park quite a few times. It is a good park but it is a haul to get there. Having things available closer, fishing, kayaking, if they can swim that would be great, but those type of things are not available that easily if you do

- not have a lake house. It is a great opportunity, and the Town needs to jump on it.
8. Has the Town factored the potential loss of sales tax revenue in the future budgets?
 9. Is this the kind of situation where there might be an impact study covering the range of potential impacts? It is a beautiful property. They recognize the need for public access, but it might be appropriate, given the traffic in that area adjacent to German Brothers Marina, that an impact study may be warranted.
 10. They moved to Canandaigua almost 50 years ago. Prior to moving to Canandaigua, they always lived on lake property with easy access. When they moved to Canandaigua and saw the beauty of Canandaigua Lake, they decided that they would have access to Canandaigua Lake every single day. This is hard to do in the Town of Canandaigua. There is always Onanda Park. Due to a handicap, they cannot walk a great distance. They drive down County Road 16 at least once a day just so they can see the Lake that they are proud to have in their back yard. They fully support the Town trying to obtain both of these properties. They think that everyone who lives in the area should have access to the Lake in one way or another. The only stable access that one has is the Canandaigua City Pier. You can go down there and sit to read a book, have a cup of coffee, and enjoy the Lake. The Ontario County Park (on the east side of the Lake) is another wonderful place to sit and watch the movement on our Lake. They see people wanting to fish. There are people all over the City Pier. The RSM property with a floating dock, they think that fishing would a wonderful opportunity. It would even be safe for children to do. Applauds and supports the Town for exploring these opportunities.
 11. They support more public access to Canandaigua Lake. The one issue seems that the Town is reacting instead of being pro-active. This possible acquisition is being re-active. If the Town could be more pro-active by looking at the recommendations in the Open Space Plan about establishing a non-profit organization to accept donations to create more revenue. That would be wise for the Town to do. The RSM development that is attached to this property, what would happen to that approved subdivision of all those lots. How is that going to impact the quality of this site in comparison to other sites. The Town Board should discuss the amount of money being used of the Open Space Fund.
 12. They currently live adjacent to Atwater Park. Atwater Park is a very large open space with 400 feet of lake frontage, with a walking path down to water, and there is not supposed to be any swimming. The park opens at sunrise and closes at sunset. They have taken numerous pictures and had to call sheriff and City police many times informing them that people are swimming out to Squaw Island. Three years ago, someone drowned there. There are fires burning down there with 20 to 40 people down there. They think this is plan has merit. It is certainly worth exploring. The Town needs to look into who is going to manage each park on a daily basis because there no one looking after Atwater Park.
 13. Would the utility easement from Riley's Run to County Road16 (RSM) be developed as a trail potentially or as a sidewalk?
 14. How wide is the projected path from Middle Cheshire Rd down to the old Johnson House? Would it be a walking / bicycle path or could golf carts potentially be used on it?
 15. Is there a plan to allow for more commercial access adjacent to any of the community access points?

4351 Tichenor Point Drive

Questions / Concerns:

1. Their concern is County Road 16 between Parrish Street and Foster Road. It is very busy with

recreational use. When you drive through the boat yard, 35 MPH is way too fast. There was a study on County Road 16. There was a hearing during snowstorm that no one attended. Have not heard anything about that study. County Road 16 is way overused and very busy and there needs to be restrictions on County Road 16.

2. Their concern is the prices that the Town is willing to pay. The full value on the Tichenor Point Drive assessment is \$1.3 million. The Town is starting out at \$6 million. They think it is irresponsible with the Town's money. Granted the Town has a low tax rate but we will not for long. The Town is offering way too much money.
3. They are to the north of this property. This park will circle their property on two sides. They are concerned regarding security. Concerned on how to prevent a park that is off the main road from not being occupied after hours.
4. There are restrictions on the property. All the owners on Tichenor Point Drive (a private residential neighborhood, with four houses) have signed land restrictions within their deeds which restrict the use of property inside of the driveway as well as right-to- usage for the drive itself. The Town is contemplating buying a piece of property for \$6 million when 20% to 25% of it has some relatively severe usage restrictions. They asked the Town Board to take that into consideration in any planned developments.
5. They are concerned on the impact of the property value of their property. Their parents live on a small lake in Vermont and their town provides a 15% reduction in their tax assessment automatically because they have recognized that living next to a park reduces the value of your property. There are many instances when towns have officially recognized that living next to a park reduces your property value. They are concerned about that. They are all for public access to Canandaigua Lake, they are just questioning if this property makes economic sense. It is a tremendous amount of money. It is a fairly large impact on the tax base when we would like to see the Town Board trying to reduce our taxes. They requested the Town Board do their due diligence, make sure that you have all the proper information together, and requested that the Town Board takes this to a public vote in November at a referendum. Since the Town is spending this much money, we would like to know that the average taxpayer really wants to spent \$35 to \$40 a year on the development of a parcel of land that they may or may not use. They requested Town Board to put this down for vote of the general public in November.
6. They have lived in Canandaigua for over 60 years and are in favor of public access. They are not in favor of a once in an lifetime opportunity. The Town needs to do a formal feasibility study. They understand that there was a Parks & Recreation Master Plan completed a few years ago. But a feasibility study on both of these properties is very, very different. It gets into the real need and how often people would use the parks. Within the confines of that study the Town would learn other things. They have been involved in many over the years and there are always these ah-ha moments. It would be wise to slow down a tad, spend a little money on a feasibility study, and agrees with others that they hope there will be a public referendum on the purchase of the property.
7. A longtime resident of the Town of Canandaigua. They just wanted to confirm something that Town Manager Finch stated, the Town does plan to conduct a SEQR review of both of these properties. If that is the case, they hope that the Town will not to commit to purchasing the properties until SEQR is completed.
8. They have lived on the Lake for the majority of their life and now lives south of Onanda Park.

They remember when Camp Onanda was transferred to the Town and many people were opposed to it. Their mother-in-law, who at the time owned her property, felt very strongly that there should be lake access and supported that park becoming a public park. She is a swimmer and swims at Kershaw Park around the buoys so she can swim safely. They think that public access is incredibly important. The problem they have with Tichenor Point is it is a very residential area. She does not see how that would happen without dramatically disturbing the neighbors. Where Camp Onanda was not an issue as it is right on County Road 16 with easy access. They do have concerns on how it will change the dynamic of the Lake and the neighborhood of the Lake. Particularly, she walks the streets every day. She does not see Onanda Park and Kershaw Park being overly use. She has concerns on whether this is really necessary for access to Lake.

9. What is the idea of a once in a lifetime opportunity? Over the last year, the Cook property just north of Yacht Club sold (7.5 acres with almost 400 feet of lake frontage) for \$4.85 million. If it is okay for the Town to acquire any desirable residential property, they have to believe that looking into the past and into future there will be a stream of unpredictable but available options. About a year ago 4885 County Road 16 sold for \$5 million and that was 450 feet of lake frontage with extraordinary buildings. The other point is to what to make of some of the comments. The Supervisor made a comment about historic value. That all sounds wonderful but they do not what to make of it from an economic perspective. The numbers that have been floated by the Town are way above of what they have seen on the Lake. Their assumption drives from sort of historic value. They do not know how the Town would quantify that and what expertise the Town or anyone else has to quantify historic value.
10. As a resident of County Road 16 south of Tichenor Point Drive, they are very concerned about the traffic as trucks and cars come roaring over top of the hill. Some as fast as 65 – 70 mph. They were in an accident a few years ago due to the excess speeding and the business of County Road 16. Now we are thinking of having children, canoes, kayaks, bikers, and hikers occupying the area even more. There are times when they drive down County Road 16 heading north where they count over 65 vehicles pulled into the traffic lanes (some landscaping companies or delivery trucks). County Road 16 is a nightmare of traffic. In their residential neighborhood, this is going to make it that much worse. No one seems to be patrolling it or interested in doing anything about it. Adding insult to injury with the traffic is a significant point. Someone is going to get killed.
11. During the meeting they looked up the assessed value for the Tichenor Point property and it is \$1.38 million. The discrepancy between that and proposed purchase price of the property at \$5+ million, is really disturbing. They encouraged the Town Board to look at it and understand that. They asked if the Town is under assessing properties by a significant amount or is the Town proposing a value of the property that is significantly above what it is actually worth.
12. In regard to COVID-19 pandemic, everyone has seen a devastating impact to our local and national economies. The Town is proposing a purchase that will increase our tax rates by 11%. That is something the Town Board should really consider. We have a lot of people who are hurting in the community and will be for at least another year.
13. Their family has been in the development business since 1949. They are just puzzled. This year on the Lake and after talking to local real estate brokers, the property values and sales have never been hotter than they are right now. The Tichenor Point property has been on the market for a fair number of months for \$5.9 million. They asked if they have received any

offers. If not, why not? Also from a development standpoint, if you look at 309 feet of lake frontage, their understanding of the Town code you would be allowed to build two lots. There would be two lots on a parcel like this at almost \$6 million. It does not make any sense. The highest and best use is being thrown aside. If you look at more swimming and everything else, he agrees. We have 715 feet of lake frontage at Camp Onanda. Why does the Town not spend a couple million dollars at both parks, increase the number of floating docks, increase the lifeguard coverage, and have more accessibility and more parking for people, and be done with it? There was a statement that Pinnacle was a private property and it cannot be acquired. Well, the RSM and Tichenor Point are both private properties. The north end, Pinnacle Point, is a failure from an economic and development standpoint. This is fool hearted what you are talking about. This has already been identified as a historical site. It is a fishing village. As a developer when they go into develop a piece of property, you have disclose that and it really limits what you can develop on the site. The Town should be very careful of that. That by itself could prohibit any development on this site.

14. They are not opposed to lake access and public parks. In fact, they are completely in favor of it. They are not opposed to the Kellogg's selling their property. Their personal use of parks in the Town of Canandaigua is extensive. They live near Onanda Park and use Onanda Park seven days a week. Onanda Park is completely underutilized. No matter how you dice it or slice it, everyone on this call that has been to Onanda Park, aside from a holiday weekend, knows how empty it is. In fact, they have young children and get a resident pass and go to Onanda Park. They swim at Onanda Park even though they have lake access. They love it there. It is so unbelievably quiet. It is underutilized, aging, lacks infrastructure, and it lacks maintenance. Please invest some money in Onanda Park, it is a phenomenal asset. Canandaigua is a special place for many of us, it is a Chosen Spot. What Mr. Finch failed to do is focus on the impact of Tichenor Point. We must understand what could happen to the homes and residential nature of the environment if a park is there. They had never driven down Tichenor Point until he saw this proposal. They could not in good conscience figure out how to put a park there. If you look at a park, it seems like such a benign easy use. But it is not. They would like someone to tell them what type of development with four homes on a private road, would have 20 cars parked there. What it is today is a beautiful quiet residential setting. A park does not fit there. If you were to look at the surveys that were sent out, the Town does need more public access and lake access. But the Town needs to ask where that should be and at what cost. There is an executed purchase agreement for this property contingent upon appraisals and other things. The purchase price is between \$5.3 and \$7 million. That is way above market. If the Town is offering that kind of money, there countless other opportunities on Canandaigua Lake. They are asking each Town Board member to ask themselves, when you put your head on your pillow tonight, to ask yourself how you would feel with a park next to you if you live in a residential neighborhood. They think that if this moves forward as a Town park, the Town will face extreme litigation that could delay the sale of this property for months if not years.
15. They use the parks a lot also. They used cabins and camping this year. None of it was done at Camp Onanda because the Town is not price competitive and half of the park was closed. They did visit Onanda Park to swim and it was very pleasant. But, like what others have said, it (Onanda Park) is underutilized. No one was there, it was a ghost town. They believe it is an underutilized park in general. They know that Town Clerk Chrisman takes care of the reservations and maybe she could write up something about the usage of the Park and how

much money the Town brings in. They believe that Onanda Park needs to be better utilized. Before the Town goes out and purchases more property for more parks, the Town should invest in Onanda Park and upgrade it a little bit. Not only in the cabins but also in the swimming areas. A very important thing to them is that they are an athlete. They swim, bicycle ride, and walk along County Road 16. They are very upset with the sheriff not taking care of drunk boaters that can affect me and the jet skis that go around so fast. If you have a park next to marina, swimming is going to be very unsafe. Because it is very unsafe for me with my neighbors, it will be very unsafe next to a marina. At Onanda Park, it was very quiet. It was a great swim. She is unaware on how the swim area is utilized. As far as bicycling around the German Brothers Marina, if there is a car going around one side of trailers, they could very easily get hit. They want to reiterate safety in the water and along County Road 16. As far as walking, it is not that safe either. They encouraged the Town to better utilize Onanda Park. They know that Atwater Park is at north end of the Lake and knows that neighbor does not want to hear this but asked if a dock be placed at Atwater Park.

16. Their comment is strictly about the survey. It is not statistically significant. If the Town is going to come up with proposals and pay companies to do surveys for the Town, they should provide a statistically significant survey.
17. They are a Canandaigua resident who really enjoys the area. They live adjacent to one of the proposed properties. They are in favor of the acquisition. Though it may have impact on my property in terms of privacy if people are walking up and down this trail. In regards to how COVID-19 has impacted people, they think that Covid-19 has disproportionately impacted people with more significant financial struggles. They think that having more public access is actually beneficial to people who are more impacted by Covid-19 then the people who have enough money and can afford lake access. The more lake access the Town has the better. Even though there may be some negative impact on his personal property just in terms of privacy that they have. They are still very strongly in favor of the acquisition of both properties.
18. They asked the Town to not close on the Tichenor Point purchase contract and continue the public hearing until the next meeting. Town Manager Finch stated that he cannot execute any contracts until the Town Board authorizes him to do so and there is nothing on the agenda to give that authority to do that. Town Attorney Nadler stated that there is a purchase contract in place. The purchase contract for the Tichenor Point Drive property is specifically subject to a Permissive Referendum. That means subject to Town Law Section 90-94. If a certain number of individuals sign a petition and submit it to the Town Clerk, it will get on to a special election. So, this is something that cannot close before that process concludes. Supervisor Menikotz stated that the Town Board would have to approve it. The Town Board would have to vote on it specifically. The Town Board is not at that point yet.
19. Their comments center around traffic and safety. They respectfully request the Town Board to review the public survey between 2017 and 2018, in particular Questions 15, 16 and 17. They were surveyed to the primary comment on safe cycling and walking on County Road 16. The shoulder width and shoulder pavement are a concern. There is a lack of a designated bicycle lane. In this survey, the amenities most liked to see, again the weighted average points to improved or widened shoulders, shared use paths, traffic calming measures. Their concern is not in public access, but by adding additional traffic along County Road 16. We cannot assume that people will show up at these facilities and just bring a kayak or canoe. The likelihood that they would go for a walk along County Road 16 or ride their bike will propose a very big risk for

- the Town. They encouraged the Town take a look at that survey and perhaps first invest money in what the public requested in 2017 and 2018 to make County Road 16 more save.
20. This parcel is gorgeous. What an absolute beautiful gem. They believe it warrants support on behalf of the Town, but it should go out to the vote of the people. This should go out as a referendum to the people to decide. Along with the RSM property. If we are going to do one referendum the Town might as well do both. Put it out to the public. Let us see what our community wants to do. This is a gorgeous piece of property that would preserve a lot of lakeshore. They speak on behalf of the community and how much we value Canandaigua Lake. Unfortunately, the Town is reacting. They think the Town needs to consider developing a program where the Town could be more strategic about these types of purchases and acquisitions. Other communities have open space programs that generate revenue. They are very supportive of this particular project, but they think that it should go out to the people for a vote.
 21. They were shocked to hear that the Town actually charges for the use of Camp Onanda. The fees to get in there have to be nominal. The Town should make the improvements there, open it up to the public and not charge anyone. The use would go over-the-top. Then people would have free access to the site. If they want to reserve a cabin, then charge for it. But to charge someone to enter the Park is preposterous. Mendon Ponds Park and Powder Mill Park that is all open to the public, free of charge. That is the way it should be.
 22. They are not a resident of the Town. Ray Henry did a history of Tichenor Point. He talked about how that location was a natural science camp. They would love to see that location used as a natural science camp once again. It would be great use of the land by the Town or some other entity. They know there is a non-profit organization that is running a natural school in the area, so that may be possible. They have always strongly advocated for more public access to Canandaigua Lake, whether it is the City or the Town.
 23. They believe this is the wrong time to put people together especially due to the pandemic. Mixing people in the park is not a good idea at this time. The pandemic may not be over until 2024 or 2025. It is not a good idea to have people congregate together, even for swimming. They live on Tichenor Point Drive and love living there. But opening a residential park in a residential area is not a good idea.
 24. Can these costs be offset by fees charged to the users of these parcels?

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