

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – February 22, 2021

**Present:** Chairman Jim Bator, Sylvia Moore, Allan Wesche, Ryan Bruzda, CEO Justin Bruen, Shawn Cotter, Pat Venezia (Venezia Assoc.), Jo-el Hibbard, Jamie Varney, Martha & Ryan Hilton

**Absent:** Nick Sergeant, Phil Bassage, Jim Carello

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The Chairman called the meeting to order at 7:00 p.m.

**Privilege of the Floor:** No one from the public spoke..

**General Business:** Approval of January 25, 2021 minutes.

Sylvia Moore moved to approve the January 25, 2021 minutes as presented. Motion seconded and carried.

**Public Hearing: Screams & Dreams – 3188 County Rd. 4 – Subdivision – PZ-2021-004**  
**Tax Map # 73.00-1-24.000**

**Parcels' acreage Lot 1 - 8.714 acres, Lot 2 - 7.464 acres, Lot 3 – 2.731 acres, Lot 4 – 8.120 acres**

Planning Board Clerk read aloud the public hearing notice.

Pat Venezia of Venezia & Associates stated the property owned by Screams and Dreams is located within the AG District and was classified as Prime Soils. Venezia & Assoc. has revised the original subdivision site plan in order to conform to Hopewell's Zoning. Ms. Venezia further added, the proposed subdivision is in line with what the Planning Board and MRB suggested at the January 2021 Planning Board meeting.

Sylvia Moore moved to close the public hearing, seconded and carried.

**Old Business: Screams & Dreams – 3188 County Rd. 4 – Subdivision – PZ-2021-004**  
**Tax Map # 73.00-1-24.000**

**Parcels' acreage Lot 1 - 8.714 acres, Lot 2 - 7.464 acres, Lot 3 – 2.731 acres, Lot 4 – 8.120 acres**

CEO Bruen stated, Screams & Dreams have revised their subdivision plan as the Planning Board recommended at their January meeting, the owners have chosen to eliminate less than 30% of the total parcel in order to maintain AG potential. The three lots remaining, even with a single-family dwelling and garage, will still meet the 7-acre land requirements for farm use. He further added, he has also confirmed with the Town's assessor that the subdivided parcel now meets the minimum acreage requirements for potential farms with single-family dwelling on Lots 1, 2 and 4.

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Allan Wesche stated the new subdivision configuration does maintain the AG district Prime Soils requirement and letter of the law; however, it misses the target of the land being used as AG.

CEO Bruen stated HTZO states 7 acres is required for AG use, and the revised subdivision plans do clearly show 7+ acres for three of the four parcels, and single-family use will be able to have small farms if desired.

Ms. Hibbard stated the changes the Planning Board required at the January 2021 meeting concerning the AG land have been met, and livestock is also considered AG use, not just crops.

The Planning Board reviewed SEAF Parts II and III.

OCPB comments attached to final minutes.

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PZ-2021-004

## Agency Use Only [If applicable]

Project: Screams & Dreams Subdivision

Date: February 22, 2021

## Short Environmental Assessment Form Part 2 - Impact Assessment

### Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. <u>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. <u>Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. <u>Will the proposed action impact existing:</u> a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Minutes – February 22, 2021

Agency Use Only [If applicable]

Project: Screams & Dreams Sub  
Date: February 22, 2021

## Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Planning Board under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed project. Based upon this evaluation, the Planning Board, in a separate resolution adopted on Monday, February 22, 2021 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Hopewell Planning Board	February 22, 2021
Name of Lead Agency	Date
James Bator, PB Chairman	Planning Board Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	- MRB Group
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)



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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION**  
**VENEZIA ASSOCIATES REPRESENTING SCREAMS & DREAMS ENTERTAINMENT, LLC**  
**4-LOT SUBDIVISION APPLICATION**  
**3188 COUNTY ROAD 4 – AG ZONING DISTRICTS**  
**TM#73.00-1-24.130 PZ 2021-004**  
**FINAL SUBDIVISION REVIEW**

## **SEQR DETERMINATION OF SIGNIFICANCE RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Final Subdivision Approval to subdivide a 27.029-acre parent parcel into 4 lots including lot 1 at 8.714-acre parcel, lot 2 at 7.464-acre parcel, lot 3 at 2.731-acre parcel, and lot 4 at 8.120-acre parcel as shown on the Subdivision Plat prepared by Venezia Land Surveyors and Civil Engineers and all other relevant information submitted as of February 22, 2021 (the current application); and

**WHEREAS**, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the applicant on the above referenced application (hereinafter referred to as Action); and

**WHEREAS**, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

**WHEREAS**, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

**WHEREAS**, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Short EAF Part 1; and

**WHEREAS**, the Planning Board has completed Part 2 and Part 3 of the Short EAF; and

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

**BE IT FURTHER RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;

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- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vi) there will not be any hazard created to human health;
- (vii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (viii) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xi) there are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED**, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

**BE IT FINALLY RESOLVED**, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board's determination.

The above resolution was offered by Sylvia Moore and seconded by Ryan Bruzda at a meeting of the Planning Board held on Monday, February 22, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator - aye	James Carello - <i>absent</i>	Phil Bassage - <i>absent</i>	Sylvia Moore - aye
Allan M. Wesche - aye	Ryan Bruzda - aye	Nick Sergeant - <i>absent</i>	

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the February 22, 2021 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION**  
**VENEZIA ASSOCIATES REPRESENTING SCREAMS & DREAMS ENTERTAINMENT, LLC**  
**4-LOT SUBDIVISION APPLICATION**  
**3188 COUNTY ROAD 4 – AG ZONING DISTRICTS**  
**TM#73.00-1-24.130 PZ 2021-004**  
**FINAL SUBDIVISION REVIEW**

## SUBDIVISION APPROVAL

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Final Subdivision Approval to subdivide a 27.029-acre parent parcel into 4 lots including lot 1 at 8.120-acre parcel, lot 2 at 8.714-acre parcel, lot 3 at 7.464-acre parcel, and lot 4 at 2.731-acre parcel as shown on the Subdivision Plat prepared by Venezia Land Surveyors and Civil Engineers and all other relevant information submitted as of February 22, 2021 (the current application); and

**WHEREAS**, the Planning Board completed a formal review of the proposed subdivision in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR); and

**WHEREAS**, the Planning Board has determined the proposed development to be an Unlisted action and is subject to a single agency review pursuant to Part 617.6(b)(4) of the SEQR Regulations; and

**WHEREAS**, on February 22, 2021 the Planning Board made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR; and

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. Subdivision Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Subdivision Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
2. All consultants' fees for review of application are to be reimbursed by the applicant to the Town prior to the Planning Board Chair's signature being affixed on the plans.
3. The subdivision plans are to be revised to identify potential driveway locations for each lot with sight distance labeled.
4. A note is to be added to the plans stating that no improvements are proposed at this time and separate site plan approval for each lot will be required.

The above resolution was offered by Sylvia Moore and seconded by Ryan Bruzda at a meeting of the Planning Board held on Monday, February 22, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator - aye	James Carello - absent	Phil Bassage - absent	Sylvia Moore - aye
Allan M. Wesche - aye	Ryan Bruzda - aye	Nick Sergeant - absent	

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the February 22, 2021 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

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Minutes – February 22, 2021

**Public Hearing:**      **Ruth Vanepps Estate – 2909 Smith Rd – Lot-line Subdivision**  
**PZ-2021-002 – TM# 85.00-1-7.000 – PZ-2021-002**

The Planning Board Clerk read aloud the public hearing notice.

Ryan and Martha Hilton, prospective buyers of Lot 2, stated it is their intent to use the 27.245 acres as AG land along with their existing farmland that is adjacent to the proposed sub-divided lot.

There were no comments from the public.

Allan Wesche moved to close the public hearing, seconded and carried.

**New Business:**      **Ruth Vanepps Estate – 2909 Smith Rd – Lot-line Subdivision**  
**PZ-2021-002 – TM# 85.00-1-7.000**

Pat Venezia of Venezia and Associates stated the Vanepps Estate is in the process of subdividing the current 53.7-acre parcel into two separate lots. Lot 1 being 26.536 acres and Lot 2 being 27.245 acres. Lot 1 will retain the current single-family dwelling, along with some out-buildings. Lot 2 will be sold to Ryan and Martha Hilton. Lot 2 will continue to be used for farming, there is also an existing barn on Lot 2. Ms. Venezia added, Lot 1 will be retained by a family member.

A brief discussion ensued with the Planning Board concerning the application.

OCPB comments attached to final minutes.



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Minutes – February 22, 2021

Agency Use Only [If applicable]

Project: Vanepps Estate - PZ-2021-002

Date: February 22, 2021 - Subdivision

## Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. <u>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. <u>Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. <u>Will the proposed action impact existing:</u> a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Hopewell Planning Board

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Minutes – February 22, 2021

Agency Use Only [If applicable]

Project: Vanepps - PZ-2021-002

Date: February 22, 2021

## Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Planning Board under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed project. Based upon this evaluation, the Planning Board, in a separate resolution adopted on Monday, February 22, 2021 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Hopewell Planning Board

February 22, 2021

Name of Lead Agency

Date

James Bator, PB Chairman

Planning Board Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

James Bator - Planning Board Chairman

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

# Hopewell Planning Board

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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
RUTH VANEPPS ESTATE – VENEZIA & ASSOCIATES  
2909 SMITH RD – AG-R ZONING DISTRICT  
TM# 85.00-1-7.000 PZ-2021-002  
SUBDIVISION – LOT LINE ADJUSTMENT**

**SEQR RESOLUTION – TYPE II ACTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Subdivision for a lot-line adjustment of a 53.7-acre parcel to be divided into 2-lots, Lot 1 being 26.536-acre parcel and Lot 2 being 27.245-acre parcel as discussed with the Planning Board at their February 22, 2021 Planning Board meeting (the current application); and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Sylvia Moore and seconded by Ryan Bruzda at a meeting of the Planning Board held on Monday, February 22, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – aye	James Carello – <i>absent</i>	Phil Bassage – <i>absent</i>	Sylvia Moore - aye
Allan M. Wesche – aye	Ryan Bruzda – aye	Nick Sergeant - <i>absent</i>	

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the February 22, 2021 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

# Hopewell Planning Board

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Minutes – February 22, 2021

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
RUTH VANEPPS – VENEZIA ASSOCIATES  
SUBDIVISION APPLICATION – 2 LOTS  
2909 SMITH RD – AG-R ZONING DISTRICTS  
TM#85.00-1-7.000 PZ 2021-002  
FINAL SUBDIVISION REVIEW**

## **FINAL SUBDIVISION PLAN APPROVAL RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Final Subdivision – Lot-line adjustment to divide a 53.7-acre parcel as shown on the Subdivision Plat prepared by Venezia & Associates and all other relevant information submitted as of January 11, 2021 the current application), lot to be divided into two parcels, Lot 1 – 26.536-acre parcel and Lot 2 – 27.245-acre parcel; and

**WHEREAS**, the Planning Board previously completed a formal review of the proposed subdivision in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR) and issued a Negative Declaration; and

**WHEREAS**, in compliance with NYS Town Law, the Planning Board held a public hearing on the current application and completed a formal review of the application on February 22, 2021; and

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. Subdivision Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Subdivision Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
2. All consultants' fees for review of application are to be reimbursed by the applicant to the Town prior to the Planning Board Chairs signature being affixed on the plans.
3. Any future change in land use and or site development requires Planning Board approval.

The above resolution was offered by Ryan Bruzda and seconded by Sylvia Moore a meeting of the Planning Board held on Monday, February 22, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator - aye	James Carello - absent	Phil Bassage - absent	Sylvia Moore - aye
Allan M. Wesche - aye	Ryan Bruzda - aye	Nick Sergeant - absent	

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the February 22, 2021 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary



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Minutes – February 22, 2021

**Public Hearing: Angelo Congilaro – 3257 Route 5 & 20 – Special Use Permit –  
Family/Caregiver Apartment – PZ-2021-001 – TM # 100.00-1-31.211**

Planning Board Clerk read aloud the public hearing notice. No one from the public spoke.

Ryan Bruzda moved to close the public hearing, seconded and carried.

**New Business: Angelo Congilaro – 3257 Route 5 & 20 – Special Use Permit –  
Family/Caregiver Apartment – PZ-2021-001 – TM # 100.00-1-31.211**

CEO Bruen stated the owners of the 3258 Route 5 & 20 property are in the process of selling the home which is currently un-inhabited. At this time there is a family/caregiver apartment in the single-family residence, however there is not any record of a special use permit allowing the apartment. The proposed buyers have a specific need which requires a family/caregiver apartment, which is why they are particularly interested with this home.

CEO Bruen stated the bank is requiring all necessary paperwork and permits before moving forward with the sale of the property.

The Planning Board briefly discussed the application.

Chairman Bator stated for the record that the new owners be made aware that the special use permit is strictly for family/caregiver use and may not be used to generate income or used for other purposes outside of its permitted special use.

CEO Bruen stated the new owners will be made aware of the sole purpose concerning the special use permit for the family/caregiver apartment and safety inspections will take place before issuing the permit.

OCPB comments attached to final minutes.



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Agency Use Only [If applicable]

Project: Angelo Congilaro - PZ-2021-001

Date: February 22, 2021 Special Use

## Short Environmental Assessment Form Part 2 - Impact Assessment

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. <u>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. <u>Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. <u>Will the proposed action impact existing:</u> a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
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Agency Use Only [If applicable]

Project: Congilaro PZ-2021-001  
Date: February 22, 2021

## Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Planning Board under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed project. Based upon this evaluation, the Planning Board, in a separate resolution adopted on Monday, February 22, 2021 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Hopewell Planning Board	February 22, 2021
Name of Lead Agency	Date
James Bator , PB Chairman	Planning Board Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
James Bator - Planning Board Chairman	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
ANGELO CONGILARO – FAMILY/CARE-GIVER APARTMENT  
3257 ROUTE 5 & 20 – AG ZONING DISTRICT  
TM# 100.00-1-31.211 PZ-2021-001  
SPECIAL USE PERMIT**

## **SEQR RESOLUTION - TYPE II ACTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering a Special Use Permit for a Family/Caregiver apartment;

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5(c) of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has on Monday, February 22, 2021 declared its intent to be designated the Lead Agency for the proposed Action under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Allan Wesche and seconded Ryan Bruzda by at the meeting of the Planning Board held on Monday, February 22, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

Jim Bator - aye	Sylvia Moore - aye	Allan Wesche - aye	Jim Carello – <i>absent</i>
Ryan Bruzda - aye	Phil Bassage - <i>absent</i>	Nick Sergeant - <i>absent</i>	

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Zoning Board of Appeals for the February 22, 2021 meeting.

*Shawn L. Cotter* L. S.

Shawn L. Cotter, Planning Board Secretary

# Hopewell Planning Board

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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
ANGELO CONGILARO – FAMILY/CARE-GIVER APARTMENT  
3257 ROUTE 5 & 20 – AG ZONING DISTRICT  
TM# 100.00-1-31.211 PZ-2021-001  
SPECIAL USE PERMIT**

## **SPECIAL USE PERMIT APPROVAL**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Special Use Permit Approval to allow for use of a Family/Care-giver Apartment located at property addressed 3257 Route 5 & 20 as discussed with the Board at their February 22, 2021 Planning Board meeting (the current application); and

**WHEREAS**, the Planning Board has classified the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations thereby completing the environmental review; and

**WHEREAS**, in compliance with NYS Town Law, the Planning Board held a public hearing on the current application and completed a formal review of the application on February 22, 2021; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby approve the requested special use permit with the following conditions:

1. Applicant./Owner to acquire Inspection approvals from Code Enforcement Officer.
2. The special use permit shall remain in effect for the current and future owner of the premises with no requirement for renewal, provided the use remains in compliance with the conditions of approval and Town Code.
3. In the event of any complaints about the approved operations being filed with the Code Enforcement Officer and failure to take corrective action by the applicant, the application shall be brought back before the Planning Board for review and approval.

The above resolution was offered by Sylvia Moore seconded by Allan Wesche at a meeting of the Planning Board held on Monday, February 22, 2021. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator - aye	James Carello – <i>absent</i>	Phil Bassage - <i>absent</i>
Sylvia Moore – aye	Allan M. Wesche – aye	Ryan Bruzda - aye
		Nick Sergeant - <i>absent</i>

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the February 22, 2021 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary



# *Hopewell Planning Board*

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## **Board Business - Block Resolutions:**

### **Allan Wesche Moved to Authorize Staff to set Public Hearings for March 22, 2021 for:**

Jake Woodworth – Special use Permit (Animal Husbandry) – PZ-2021-006  
Eric Johnson – Site Plan/Special Use Permit (Contractors Yard) – PZ-2021-007  
Karl Housel – Special Use Permit – Farm Market/AG Business – PZ-2021-008  
Motion seconded and carried.

### **Allan Wesche Moved to Authorize Staff to send referrals to OCPB for March 2021 Agenda:**

Jake Woodworth – Special use Permit (Animal Husbandry) – PZ-2021-006  
Eric Johnson – Site Plan/Special Use Permit (Contractors Yard) – PZ-2021-007  
Karl Housel – Special Use Permit – Farm Market/AG Business – PZ-2021-008  
Motion seconded and carried.

## **Motion to adjourn:**

Allan Wesche moved to adjourn, seconded and carried. Meeting adjourned at 8:00 p.m.

## ***NOTICE OF PUBLIC HEARINGS***

Pursuant to Article III, Section 306 of the Town of Hopewell Zoning Ordinance, a Public Hearing will take place before the Planning Board of the Town of Hopewell, and will be held on Monday, February 22, at 7:00 p.m.

Said Hearings will be held in the Town Hall at Hopewell Center, Ontario County, New York.

1. The Public Hearing is to consider the PZ-2021-004 application of Screams & Dreams, owner of properties located at 3188 County Rd. 4 in the Town of Hopewell, for a Subdivision under Article III, Section B of the Town of Hopewell Rules and Regulations for Subdivisions and Design Standards for Land Development. Zoned AG

Applicant seek to subdivide 27.029 acres from Tax Map #73.00-1-24.13 into four lots: lot 1 being 8.714 acres, lot 2 being 7.464 acres, lot 3 being 2.731 acres, lot 4 being 8.120 acres

2. The Public Hearing is to consider the special use permit PZ-2021-001 application of Angelo Congilaro, owner of property located at 3257 Route 5 & 20 in the Town of Hopewell, Tax Map # 100.00-1-31.211 for a family/caregiver apartment, TOH Zoning Ordinance Article III, 305 D and Article VI - Section 601. Zoned AG

Applicant is seeking special use permit for a pre-existing, un-permitted use family/caregiver apartment.



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3. The Public Hearing is to consider the PZ-2021-002 application of Ruth Vanepps Estate, owner of property located at 2909 Smith Rd., in the Town of Hopewell, for a lot-line adjustment under Rules and Regulations for Subdivisions, Article I Section 8 C; dividing 53.7 acres into 2-lots TM # 85.00-1-7.000: lot 1 being 26.536 acres, lot 2 being 27.245 acres. Zoned AG-R

Applicant is seeking to move current lot-line and divide parcel in half.

All persons wishing to appear at such Hearings may do so in person or by attorney or other representative.

**Shawn L. Cotter**

Secretary, Planning Board/ZBA  
February 1, 2021