

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

Present: Chairman Jim Bator, Sylvia Moore, Phil Bassage, Allan Wesche, Ryan Bruzda, Jim Carello, Shawn Cotter, CEO Norm Teed, Lance Brabant (MRB), Bill Grove (Grove Engineering), Megan Webster, Courtney Washington, Rod Brown, Tim Vaughan, Jeff Wood, Joseph Furmansky, Jimmy Kramer, Sara Benham, Steve Sciarratta, Rodney Thorn, George Santoire (Airosmith Dev.)

Absent: Nick Sergeant

---

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

General Business: Approval May 21, 2020 Minutes

Jim Carello moved to approve the May 21, 2020 minutes as presented. Motion seconded by Ryan Bruzda. Motion carried.

Privilege of the Floor: No one from the public spoke or logged into join.me on-line thru MRB link.

Board Business:

The Chairman briefly outlined proper guidelines for the public to follow during the evening's public hearings.

Public Hearing: Rodney Thorn – 4392 County Rd 50 – TM 85.03-1-3.000 – Site Plan/Special Use Permit  
Temporary Parking CMAC Events – PZ-2020-004

The Chairman opened the Public Hearing for Rodney Thorn application.

The Clerk read aloud the Public Hearing Notice. (Attached to minutes.)

CEO Teed stated Rodney Thorn is attempting to request access to the proposed temporary parking site which currently has easement issues. He further added, Mr. Thorn is requesting the public hearing be continued to the next Planning Board meeting.

Rodney Thorn stated his engineer, Jason McCormick has had health issues and therefore the application is missing information requested by the Town's Code Enforcement Officer and MRB; he hopes to attain the necessary information prior to the July 27<sup>th</sup> Planning Board meeting and would like a continuation of the Public Hearing to the July PB meeting date.

No one from the public or on-line chose to speak concerning Rodney Thorn's Site Plan/Special Use application.

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

Jim Carello moved to continue the public hearing for application PZ-2020-004 Site Plan & Special Use for Rodney Thorn, property located at 4392 County Road 50, TM# 85.03-1-3.000 to the next Planning Board meeting dated July 27, 2020 at 7:00 p.m.. Motion seconded by Sylvia Moore. Motion carried unanimously.

**Public Hearing: Rodney Brown – Shekell Rd. – TM 60.00-1-22.100 – Site Plan Manure Storage Facility  
PZ-2020-005**

The Chairman opened the Public Hearing.

Public Hearing notice was read aloud by the Clerk. (Attached to minutes.)

No one from the public or on-line chose to speak during the public hearing.

Jim Carello moved to close the Public Hearing for the Rodney brown Site Plan application, seconded by Allan Wesche. Motion carried.

**Board Business: Rodney Brown – Shekell Rd. – TM 60.00-1-22.100 – Site Plan Manure Storage Facility  
PZ-2020-005**

CEO Teed stated Mr. Brown had originally submitted his application prior to the COVID-19 pandemic, and because of the of the pandemic the application and public hearing process has been postponed. Mr. Teed noted Public Hearing signage was posted on the applicant's property.

Rodney Brown stated the current storage unit for manure is for a five-month period. NYS DEC regulations state there is to be no manure spreading during the winter months, if possible. During the winter period the ground is unable to handle manure do to lack of soil saturation, frost line and snow coverage. Mr. Brown stated his proposed manure storage unit will hold 3 ½ million gallons of manure. The proposed facility will amply hold manure well beyond the winter months if necessary.

Mr. Brown stated he currently has a manure "lagoon" on another property which has a cover; however, a grant was available at that time to cover the cost of covering that particular manure lagoon. The proposed facility will not have a cover; however, it will be lined in order to prevent seepage into the soil. The proposed facility is 4,000 feet from the nearest home, other than his personal residence. The location of the manure facility is east of any housing, and is surrounded by woods and swamp area.

CEO Teed stated the total manure capacity of the two manure storage units with cover a 13-month period of time.

No one from the public or on-line chose to speak concerning Mr. Brown's Site Plan application.

The Planning Board reviewed Mr. Brown's application.

The Planning Board reviewed SEAF Part II and III submitted by MRB pertaining to Mr. Brown's application.

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
 585-394-0036 ext. #8 – www.townofhopewell.org  
 Minutes – June 22, 2020

Agency Use Only [If applicable]

Project:	Rodney Brown Manure Storage
Date:	June 22, 2020

## 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"/>

**PRINT FORM**

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – www.townofhopewell.org  
Minutes – June 22, 2020

Agency Use Only [If applicable]

Project: Rodney Brown Manure  
Date: June 22, 2020

## 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, as the designated lead agency for this Action, 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 development. Based upon this evaluation, the Planning Board, in a separate resolution adopted on Monday, June 22, 2020, 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	June 22, 2020
Name of Lead Agency	Date
Jim Bator	Planning Board Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Jim Bator	- MRB Group
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Page 2 of 2

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
RODNEY BROWN  
MANURE STORAGE FACILITY  
SHEKELL ROAD - AG ZONING DISTRICT  
TM# 60.00-1-22.100 PZ-2020-005  
SITE PLAN REVIEW**

**SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Site Plan Approval to construct a manure storage facility on a 186.5 acre lot located on Shekell Road as shown in the Site Plans prepared by Jess Engineering, P.L.L.C. and all other relevant information submitted as of June 22, 2020 (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 Full EAF Part 1; and

**WHEREAS**, the Planning Board has completed Part 2 and Part 3 of the Short EAF as this was identified as an Unlisted Action; 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;

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

- (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 Allan Wesche and seconded by Jim Carello at a meeting of the Planning Board held on Monday, June 22, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – <i>aye</i>	James Carello – <i>aye</i>	Phil Bassage – <i>aye</i>	Sylvia Moore - <i>aye</i>
Allan M. Wesche - <i>aye</i>	Ryan Bruzda – <i>aye</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 Planning Board for the June 22, 2020 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

Lance Brabant (MRB) stated prior to the Planning Board Chair's signature on the site plans, comments within the Town's Engineer's letter dated March 11, 2020 are to be addressed to the satisfaction of the Town's Engineer.

Mr. Brown concurred.

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
RODNEY BROWN  
MANURE STORAGE FACILITY  
SHEKELL ROAD - AG ZONING DISTRICT  
TM# 60.00-1-22.100 PZ-2020-005  
SITE PLAN REVIEW**

## FINAL SITE PLAN APPROVAL RESOLUTION

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Site Plan Approval to construct a manure storage facility on a 186.5 acre lot located on Shekell Road as shown in the Site Plans prepared by Jess Engineering, P.L.L.C. and all other relevant information submitted as of June 22, 2020 (the current application); 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 June 22, 2020, the Planning Board, serving as lead agency, 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. Site Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Site Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
2. The comments within the Town Engineer's letter dated March 11, 2020 are to be addressed to the satisfaction of the Town Engineer prior to the Plans being signed by the Planning Board Chairman.
3. 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.

The above resolution was offered by Jim Carello and seconded by Allan Wesche at a meeting of the Planning Board held on Monday, June 22, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – *aye*  
Sylvia Moore – *aye*

James Carello – *aye*  
Allan M. Wesche – *aye*

Phil Bassage – *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 June 22, 2020 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020



[www.mrbgroup.com](http://www.mrbgroup.com)

Engineering, Architecture, Surveying, D.P.C.

March 16, 2020

Mr. Norman Teed, CEO  
Town of Hopewell  
2716 County Road 47  
Canandaigua, New York 14424

**RE: RODNEY BROWN MANURE STORAGE FACILITY  
SITE PLAN REVIEW  
TAX MAP NO. 60.00-1-22.100  
MRB PROJECT NO.: 0810.17000.000 – PH 032  
HOPEWELL PROJECT NO.: PZ-2020-005**

Dear Mr. Teed:

MRB has completed a review of the submitted Site Plans prepared by Jess Engineering, PLLC. We offer the following comments for the Planning Board's consideration. A brief written response to each comment should be provided by the design engineer.

#### **SEQR**

1. This is considered to be an Unlisted Action under SEQR. A copy of the completed Short Environmental Assessment Form (EAF) Part 1 has been provided by the applicant. The Planning Board will need to complete the Short EAF Part 2 and Part 3 as part of their review.

#### **General**

2. A statement of operations should be provided for the proposed development. Said statement of operations should include description of expected traffic, general operation of the facility, and maintenance practices.
3. Is there any mitigation of odors proposed? Will the facility be covered/tarped at any point in operation?
4. It is noted that work is proposed within the Town of Phelps. Has the Town of Phelps been made aware of the project?
5. It is noted that agricultural projects of this nature disturbing greater than one acre do not require post-construction stormwater management controls in accordance with DEC Regulations, but do require an Erosion & Sediment Control SWPPP and completion of an NOI.

---

The Culver Road Armory - 145 Culver Road, Suite 160, Rochester, NY 14620 - 585-381-9250; FAX 585-381-1008

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020



Town of Hopewell  
RE: RODNEY BROWN MANURE STORAGE FACILITY  
March 16, 2020  
Page 2 of 2

If you have any questions, comments or concerns regarding any of the above comments please call me at our office.

Sincerely,

A handwritten signature in black ink that reads "Lance S. Brabant".

Lance S. Brabant, CPESC  
Director of Planning & Environmental Services

**Public Hearing: Airosmith Development – FLCC (AT&T) – 3325 Marvin Sands Dr.  
TM #99.00-1-2.100 - PZ-2020-006 Site Plan – New Wireless Cell Site Facility**

The Chairman opened the public hearing for Airosmith Development.

The Clerk read aloud the Public Hearing notice. (Attached to minutes.)

No one from the public or on-line chose to speak concerning Airosmith's (AT & T) Site Plan public hearing..

**Ryan Bruzda moved to close the Public Hearing for Airosmith's Site Plan application, seconded by Allan Wesche. Motion carried.**

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

**Board Business: Airosmith Development – FLCC (AT&T) – 3325 Marvin Sands Dr.  
TM #99.00-1-2.100 - PZ-2020-006 Site Plan – New Wireless Cell Site Facility**

George Santoire of Airosmith Development stated the application before the Planning Board is for approval of an AT&T temporary wireless cell site which will be located on Finger Lakes Community College gymnasium roof-top. The application currently has received consent from the Ontario County Planning Board. The purpose of the wireless cell site facility will enable capacity of cell usage for CMAC's large events, local stores located across from the FLCC campus on Route 5 & 20 and the college campus itself.

CEO Teed asked for confirmation concerning the impact on EMS, Fire and Police priority 911 calls during the time users from the public reach Cell Site usage capacity.

Mr. Santoire stated there would be no impact on 911 emergency calls. There is a regulatory process that takes precedence over public usage, meaning, if indeed the cell site reaches capacity and there is an emergency, the FCC mandates 911 emergency calls to take priority and personal calls/usage would either be slowed or dropped allowing for emergency personnel to use the cell site.

Chairman Bator asked if the cell-site would be accessible year-round and clarification concerning a "temporary and permanent" cell site structure.

Mr. Santoire stated the difference is that a permanent facility would require the cell site to have simple modifications and drilling into the roof would be required, and the cell site would be used year-round.

There was a brief discussion with the Planning Board concerning the cell site application.

**A motion was made by Allan Wesche to classify application PZ-2020-006 Site Plan submitted by Airosmith Development as a Type II Action under SEQR Regulation, further SEQR review is not required. Motion seconded by Phil Bassage. Motion carried unanimously.**

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – www.townofhopewell.org  
Minutes – June 22, 2020

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
AIROSMITH DEVELOPMENT - AT&T WIRELESS CELL SITE  
FLCC – 3325 MARVIN SANDS DR. – COMMUNITY OVERLAY ZONING DISTRICT  
TM# 99.00-1-2.100  
SITE PLAN REVIEW**

## FINAL SITE PLAN APPROVAL RESOLUTION

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Site Plan Approval to construct allow installation of AT&T Wireless cell site on top of FLCC's gymnasium rooftop, including cell antennas and associated equipment,

**WHEREAS**, the Planning Board has determined the proposed development to be Type II Action under SEQR regulation and further SEQR review is not required,

**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. Site Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Site 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.

The above resolution was offered by Sylvia Moore and seconded by Jim Carello at a meeting of the Planning Board held on Monday, June 22, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – <i>aye</i>	James Carello – <i>aye</i>	Phil Bassage - <i>aye</i>
Sylvia Moore – <i>aye</i>	Allan M. Wesche - <i>aye</i>	Ryan Bruzda – <i>aye</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 Planning Board for the June 22, 2020 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

Public Hearing: Emily Jeffery – PZ-2019-037 – Subdivision/Site Plan – Lincoln Hill Rd.  
TM# 99.00-1-56.000

Chairman Bator stated the public hearing for application PZ-2019-037 was to be continued at the March 23, 2020 Planning Board meeting. However, due to the COVID-19 pandemic, it was necessary to cancel the public hearing and meeting. A motion was made by Jim Carello to continue the Public Hearing for application PZ-2019-037, property located at Lincoln Hill Rd., TM # 99.00-1-56.000 for June 22, 2020 at 7:00 p.m., at the May 21, 2020 Planning Board meeting.

The Chairman stated priority would be given to the public which has not yet spoken to the Planning Board concerning application PZ-2019-037, any documentation submitted to the Planning Board must be relevant to the application, comments are to be made to the Chairman and Board members and no decisions from the Planning Board concerning the subdivision application would be made at tonight's meeting.

The Chairman opened the Public Hearing.

The Clerk read aloud the Public Hearing Notice. (Attached to minutes.)

A letter dated June 22, 2020 from the Lincoln Hill Rd. residents along with a document dated October 25, 2016 from Marks Engineering (concerning the previous Jeffery 4-lot subdivision plan from 2016) was submitted to the Planning Board. (Documents included with file for PB review and final minute book.)

Tim Vaughan – 3464 Lincoln Hill Rd, read aloud his comments addressing the proposed subdivision application. (Copy of letter included with file for review and final minute book.)

Mr. Vaughan submitted a deed transfer dated 5/18/2020 from Emily Jeffery to Paula Dugan and John Jeffery, and questioned whether the Jeffery application was still valid since there is a transfer of ownership.

CEO Teed stated to his knowledge nothing concerning application PZ-2019-037 has changed to his knowledge, but will confirm with the Town's attorney as to whether a deed transfer changes the application process.

Jeff Wood – 3495 Lincoln Hill Rd., stated he presently owns the historic Dewey home and has worked hard to maintain the home's appearance. He added, the proposed driveway next to his home will impose on the privacy of his home, the subdivision development will box in the Sciaratta home located at 3477 Lincoln Hill Rd., the proposed subdivision plans do not meet with the character of the neighborhood, and asked the Planning Board to consider reviewing the plans and to reduce the number of proposed driveways for safety issues.

Steve Sciaratta – 3477 Lincoln Hill Rd., stated he has issues with the variance requests. He had conversations and a handshake with Mr. Jeffery's concerning the 30 ft. piece of property which runs along his property line. He stated Mr. Jeffery told him at one time that the 30 ft. piece of land would be used for utilities for a home Mr. Jeffery may build for himself in the future.

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

Mr. Sciarratta stated he has maintained the 30 ft. area for many years at no cost to Mr. Jeffery. He added, two homes with two driveways would be acceptable on the 10-acre parcel, and any development greater than that would decrease the values of the homes in the neighborhood and wants the property properly engineered. He continued by stating he would not be willing to pursue a legal route to stop the subdivision process, however he would be inclined to landscape and block out views of any future homes built along the line of his property.

Joe Furmansky – 3486 Lincoln Hill Rd., stated he had a new driveway installed a few years ago. A rain storm in 2017 caused excessive water run-off and destroyed his driveway, which needed to be replaced. He added, he has concerns about more development on Lincoln Hill Rd. which would exacerbate the flooding and drainage situation on his road.

## MRB - On-line Call In:

Carol Finch – No comments or questions.

John Jeffery – No comments or questions.

Mark Malvaso – 3476 Lincoln Hill Rd., stated light pollution from automobiles will be an issue at his house with the proposed subdivision and would like the Planning Board's consideration concerning that matter. He further added, the proposed driveway next to Jeff Woods property will have a line-of-site issue and blind spot from existing fencing and tree on Mr. Woods property which creates a safety hazard. Mr. Malvaso stated the Jeffery property subdivision is meant for profit and has no plan to benefit everyone in the neighborhood.

Paula Doogan – Stated she once lived in the family home on Lincoln Hill Rd and is the daughter of Emily Jeffery, and noted for the record, she is one of the individuals that the property was recently deeded over to. She added, she is currently working with Engineer Bill Grove concerning the subdivision application her mother originally submitted. Mr. Grove will handle the water run-off issue in his subdivision plans and any other engineering issues. Ms. Doogan stated the four proposed lots/homes on a ten-acre parcel will not decrease the value of homes in the neighborhood.

Viewer 12 – No comments or questions.

Narina Schulz – 3460 Lincoln Hill Rd., stated she submitted comments via email, (Documents included with file for PB review and final minute book.) Ms. Schulze stated the proposed drive ways are too close together with line-of-site being an issue and there are no side-walks for pedestrian safety.

CEO Teed stated to Ms. Schulz that her e-mail and documentation had been received including the document dated 10/25/2016 to Earl Coleates from Engineer Brennan Marks.

*There were no other on-line or call-ins.*

There was question from the public concerning variances and the Planning Board's function.

Lance Brabant noted the Planning Board does not address variances, that is under the Zoning Board of Appeals function.

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

Tim Vaughan referred to Planning Board minutes of 2016 concerning the Emily Jeffery subdivision application, and noted how the Board members voted at that time concerning the original application and their referral to the Zoning Board of Appeals concerning the variance requests at that time.

CEO Teed stated any referrals from the County Planning Board or Town Planning Board are non-binding, adding all required variances must be addressed by the Zoning Board of Appeals prior to the Planning Board's consideration for any site plan approvals.

Sarah Benham – 3517 Lincoln Hill Rd., stated any development on the Jeffery parcel will block their present view of the lake and just because you can get four houses on a property, does not mean you should.

Lance Brabant stated SEQR review is still necessary and Bill Grove, Engineer for the Jeffery family, is continuing the review of MRB's comments pertaining to the subdivision application.

Allan Wesche moved to continue the Public Hearing for application PZ-2019-037 – Subdivision/Site Plan – Lincoln Hill Rd. - TM# 99.00-1-56.000 to the next scheduled Planning Board meeting date of July 27, 2020 at 7:00 p.m.. Motion seconded and carried.

## Board Business:

Chairman Bator stated the COVID-19 pandemic has caused delays with processing applications, and that the Board and Town Staff are doing the best they can under the conditions, and thanked the public for their understanding and support during this time.

## Adjournment

Jim Carello motioned to adjourn, seconded by Allan Wesche and carried. Meeting adjourned at 8:45 p.m.

Submitted by *Shawn L Cotter* L.S. – July 28, 2020

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

## NOTICE OF PUBLIC HEARINGS

Pursuant to Article III, Section 306 of the Town of Hopewell Zoning Ordinance, a Public Hearing before the Planning Board of the Town of Hopewell will be held on June 22, 2020, at 7:00 P.M. Said Hearings will be held in the Town Hall at Hopewell Center, Ontario County, New York, which will be in accordance with the latest State Governor's Executive Order for conducting public meetings.

1. Public Hearing is to consider PZ-2020-004 application of Rodney Thorn, property located at 4392 Co. Rd. 50 Canandaigua, NY - Tax Map 85.03-1-3.000 for Site Plan and Special Use Permit Approvals.

Site Plan and Special Use permit approvals: to allow for temporary parking for events held at CMAC. HTO Article VI, 603 B.23, HTO Article VII, Section 716, HTO Article XVI Site Plan Review & Special Use Permit Approval. Property is located in C-1 Zoning District.

2. Public Hearing is to consider PZ-2020-006 application of Airosmith Development, agent for property located at FLCC 3325 Marvin Sands Dr., Canandaigua, NY - Tax Map 99.00-1-2.100 for Site Plan Approval.

Site Plan approval to allow installation of AT&T Wireless cell site on top of FLCC's gym rooftop, including cell antennas and associated equipment. HTO Article VI, Section 601 B. 8, HTO Article XVI Site Plan Review and Approval. Property is located in R-1, Community Overlay Zoning District.

3. Public Hearing is to consider PZ-2020-005 application of Rodney Brown, property located at Shekel Rd, Clifton Springs, NY - Tax Map 60.00-1-22.100 for Site Plan Review & Approval for construction of a manure storage facility.

Site Plan approval: to allow construction of manure storage facility. HTO VI, 600 B. 3, HTO Article XVI Site Plan Review and Approval. Property is located in AG Zoning District.

4. Public Hearing continuation for the application of Emily Jeffery, of 11 Oakwood Lane, Fairport, NY owner of the property located on the North Side of Lincoln Hill Rd, tax map 99.00-1-56.000 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.

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

**JOIN MEETINGS** by clicking the following link: [join.me/MRB\\_LBrabant](https://join.me/MRB_LBrabant)

**To dial in by phone:** United States - New York, NY +1.646.307.1990 - Conference ID: 935-915-647 #

Submission of written comments are due by NOON 6/22/2020

via e-mail: [scotter@townofhopewell.org](mailto:scotter@townofhopewell.org) OR Town of Hopewell, 2716 County Rd. 47 - Canandaigua - NY 14424 (attention Planning Board/ZBA Clerk)

**Shawn L Cotter** L. -S. Planning Board/Board of Appeals

May 21, 2020 – Amended 6/9/2020

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

Hopewell PB Notes for June 22, 2020 – Tim Vaughan, 3464 LHR

Regarding: Jeffery Subdivision on Lincoln Hill Rd

This subdivision is identical to the one proposed in 2016, with a few additional details added, such as rain gardens. The three variances requested were wrong then and they are wrong now.

The history of this development matters and it is important to go back to the Planning Board meeting minutes of July 18, 2016. Jim Carello made a motion to recommend the Zoning Board of Appeals NOT approve the variances as requested. The Planning Board voted unanimously YES to that motion:

A YES vote was a recommendation to NOT approve the variances as requested.

It is also important to note that four current Planning Board members voted YES on that motion: Sylvia Moore, James Bator, Allan Wesche and James Carello.

The others who voted YES are no longer on the board.

After the fact, the town's attorney decided that this vote was null and void. However, Acting Supreme Court Justice Fredrick Reed determined this was the vote that counted; and this decision was further upheld by the New York Supreme Court Appellate Division, Fourth Judicial Department as the vote that counted. Ultimately, the action by the town's attorney erroneously influenced the ZBA's decision to approve all three variances.

Essentially, nothing has changed in the plans of this subdivision. These three variance requests are substantial and do not meet the character of the neighborhood of Lincoln Hill Road. Sure, the proposed lots are over 2.5 acres each, but the addition of three flag lots is out of character. Lot size is not the only characteristic that matters, nor the most important. If it was, we wouldn't be

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020

here. Planning boards and zoning boards must weigh the balance of all characteristics of the neighborhood.

There are currently 19 lots on Lincoln Hill Road, with only 1 flag lot at 3517, a transaction that took place in 1983, well before the Town of Hopewell adopted the current Zoning Ordinance requiring 150 feet of road frontage, which by its very existence, deliberately restricts and discourages flag lots.

The proposal to add three flag lots, shared driveways and other features related to the proposed subdivision plans will have direct and adverse consequences on the character of the neighborhood, environment and neighborhood safety.

The Jeffery lot, as is, does not require any variance for a single dwelling. As we see it, two homes would be acceptable. And four lots is overkill.

No matter how you look at it, jamming a driveway down the 30' strip of land between the Sciarratta's at 3477 and the Wood's at 3495 and placing a dwelling behind the Sciarratta's is completely out of character for this neighborhood and should not be allowed.

This is a self-induced problem, as no relief is required for the property to be in conformance with the Town of Hopewell's Zoning Ordinance for a single dwelling.

It has been said this subdivision was "Grandfathered" in 2007. In reality, if it was, we all would not be here.

Approval of these three variances are not minor. Each of these three variance requests are quite significant. Don't take my word for it, the numbers speak for themselves, 30', 45' and 50'. If approved, the town's zoning code will need to be rewritten because a recommendation for approval of these variances set precedent for all future planning. Do you really want 30% of the current code to be the new normal for all lot area and setback requirements?

# *Hopewell Planning Board*

*2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – June 22, 2020*

Residents rely on Town and County Planning and Zoning Boards to maintain community standards, both for property owners and the surrounding community. We live on Lincoln Hill Road; Emily Jeffery does not.

I thank the Board for their time and listening to our concerns.

# HOPEWELL PLANNING BOARD

2716 County Road #47 - Canandaigua, New York 14424

Town Hall: (585) 394-0036 ext. 8 - Facsimile: (585) 394-8714 - TDD: 1-800-662-1220  
Clerk - Shawn L. Cotter (planningzbaclerk@townofhopewell.org) 585-394-0036 ext. #8

**Sylvia Moore**  
Planning Board Member

**James Bator**  
Chairman

**Phil Bassage**  
Planning Board Member

**Allan Wesche**  
Planning Board Member

**Ryan Bruzda**  
Planning Board Member

**Nick Sergeant**  
Planning Board Member

**James Carello**  
Planning Board Member

## *Planning Board Agenda*

Monday - June 22, 2020

Planning Board Workshop 6:30 P.M.

Planning Board Meeting 7:00 P.M.

Hopewell Town Hall (Court Room) - 2716 County Road 47 - Canandaigua, NY 14424

**General Business:** Approval of May 21, 2020 Minutes  
Privilege of the Floor

**Public Hearing:** Emily Jeffries - 99.00-1-56.000 -Subdivision/Site Plan - Lincoln Hill Rd.  
**Continued** PZ-2019-037

**Cont. Business:** Emily Jeffries - 99.00-1-56.000 -Subdivision/Site Plan - Lincoln Hill Rd.  
PZ-2019-037

- MRB Comments
- Grove Engineering Comments
- Coordinated Review - Intent of Lead Agency
- Memo/Comments Code Enforcement Officer

**Public Hearing:** Rodney Thorn - 4392 Co. Rd. 50 - TM# 85.03-1-3.000  
Site Plan PZ- 2020-004 and Special Use Permit (CMAC Events Temp. Parking)

**New Business:** Rodney Thorn - 4392 Co. Rd. 50 - TM# 85.03-1-3.000  
PZ- 2020-004 Site Plan and Special Use Permit (CMAC Events Temp. Parking)  
➤ MRB/OCPB Comments  
➤ Special Use/Site Plan Application Review/Determination

**Public Hearing:** Rodney Brown - Shekell Rd. - TM# 60.00-1-22.100  
PZ-2020-005 Site Plan Manure Storage Facility

**New Business:** Rodney Brown - Shekell Rd. - TM# 60.00-1-22.100  
PZ-2020-005 Site Plan Manure Storage Facility  
➤ MRB/OCPB Comments  
➤ Site Plan Application Review/Determination

-----  
"This is an Equal Opportunity Program

Discrimination is prohibited by Federal law. Complaints of discrimination may be filed with the Secretary of Agriculture, USDA, Washington, 2025009700."  
FOIL - Documents submitted to the Planning Board in connection with any application listed on the agenda will be available to the public at the meeting.

**Public Hearing:**        **Airosmith Development – FLCC (AT&T) – 3325 Marvin Sands Drive  
PZ-2020-006 Site Plan – New Wireless Cell Site - TM# 99.00-1-2.100**

**New Business:**        **Airosmith Development – FLCC (AT&T) – 3325 Marvin Sands Drive  
PZ-2020-006 Site Plan – New Wireless Cell Site Facility - TM# 99.00-1-2.100**  
   > MRB/OCPB Comments

-----

**Adjournment:**

- *All agendas are tentative and may change without notice*

# HOPEWELL PLANNING BOARD

2716 County Road #47 - Canandaigua, New York 14424

Town Hall: (585) 394-0036 ext. 8 - Facsimile: (585) 394-8714 - TDD: 1-800-662-1220

Clerk - Shawn L. Cotter (planningzbaclerk@townofhopewell.org) 585-394-0036 ext. #8

**Sylvia Moore**  
Planning Board Member

**James Bator**  
Chairman

**Phil Bassage**  
Planning Board Member

**Allan Wesche**  
Planning Board Member

**Ryan Bruzda**  
Planning Board Member

**Nick Sergeant**  
Planning Board Member

**James Carello**  
Planning Board Member

## NOTICE OF PUBLIC HEARINGS

Pursuant to Article III, Section 306 of the Town of Hopewell Zoning Ordinance, a Public Hearing before the Planning Board of the Town of Hopewell will be held on June 22, 2020, at 7:00 P.M. Said Hearings will be held in the Town Hall at Hopewell Center, Ontario County, New York, which will be in accordance with the latest State Governor's Executive Order for conducting public meetings.

1. Public Hearing is to consider PZ-2020-004 application of Rodney Thorn, property located at 4392 Co. Rd. 50 Canandaigua, NY - Tax Map 85.03-1-3.000 for Site Plan and Special Use Permit Approvals.

Site Plan and Special Use permit approvals: to allow for temporary parking for events held at CMAC. HTO Article VI, 603 B.23, HTO Article VII, Section 716, HTO Article XVI Site Plan Review & Special Use Permit Approval. Property is located in C-1 Zoning District.

2. Public Hearing is to consider PZ-2020-006 application of Airosmith Development, agent for property located at FLCC 3325 Marvin Sands Dr., Canandaigua, NY - Tax Map 99.00-1-2.100 for Site Plan Approval.

Site Plan approval to allow installation of AT&T Wireless cell site on top of FLCC's gym rooftop, including cell antennas and associated equipment. HTO Article VI, Section 601 B. 8, HTO Article XVI Site Plan Review and Approval. Property is located in R-1, Community Overlay Zoning District.

3. Public Hearing is to consider PZ-2020-005 application of Rodney Brown, property located at Shekel Rd, Clifton Springs, NY - Tax Map 60.00-1-22.100 for Site Plan Review & Approval for construction of a manure storage facility.

Site Plan approval: to allow construction of manure storage facility. HTO VI, 600 B. 3, HTO Article XVI Site Plan Review and Approval. Property is located in AG Zoning District.

4. Public Hearing continuation for the application of Emily Jeffery, of 11 Oakwood Lane, Fairport, NY owner of the property located on the North Side of Lincoln Hill Rd, tax map 99.00-1-56.000 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.

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

**JOIN MEETINGS** by clicking the following link: [join.me/MRB\\_LBrabant](https://join.me/MRB_LBrabant)

**To dial in by phone:** United States - New York, NY +1.646.307.1990 - Conference ID: 935-915-647 #

Submission of written comments are due by NOON 6/22/2020

via e-mail: [scotter@townofhopewell.org](mailto:scotter@townofhopewell.org) OR Town of Hopewell, 2716 County Rd. 47 - Canandaigua - NY 14424 (attention Planning Board/ZBA Clerk)

**Shawn L. Cotter** L. -S. Planning Board/Board of Appeals

May 21, 2020 - Amended 6/9/2020

"This is an Equal Opportunity Program

Discrimination is prohibited by Federal law. Complaints of discrimination may be filed with the Secretary of Agriculture, USDA, Washington, 2025009700."

FOIL - Documents submitted to the Planning Board in connection with any application listed on the agenda will be available to the public at the meeting.

PLANNING BOARD – JUNE 22, 2020  
PLEASE PRINT LEGIBLY

NAME	ADDRESS
Burr Grove	8577 STATE RT 53, NAPLES
George Santoro	318 West Ave, Seaside Springs NY 12086
MEGAN WEBSTER	480 NORTH MAIN, CANANDAIGUA NY 14024
Courtney Washington	1384 ST. RT. 444 VICTOR NY 14564
Zion Brown	2586 RTE 488 CANTON SPRINGS 14032
<del>Paula Jones</del>	3286 Wagon Rd Canastota NY 14024
TIM VAUGHAN	3461 LINCOLN HILL RD 14424
Jeff Wood	3495 LINCOLN HILL ROAD 14424
Joseph Furmanstky	3486 Lincoln Hill Road 14024
Samantha Brown	3517 Lincoln Hill Rd 14024
Sara Benham	3517 Lincoln Hill Rd 14424
Steve Sciarretta	3477 Lincoln Hill Rd 14424

June 22, 2020

To: Town of Hopewell PBA  
From: Lincoln Hill Road Neighbors  
Subject: Jeffries Subdivision & Variance Request for Lincoln Hill Road

Hello Hopewell PBA,

We are the concerned neighbors related to the Jeffries Subdivision & Variance Request for Lincoln Hill Road. As you may recall, this is the second application for this project, the first ended in the Ontario County Court and NYS of Court of Appeals both courts deciding that the first application was null and void.

As part of the first application process, we hired Principal Engineer Brennan Marks to review the Subdivision Plan created by Principle Engineer William Grove. Aside from water gardens added in the revised plan associated with this second application, there are "NO" other changes between the plans.

**We respectfully submit for the record and for your review and consideration PE Brennan Marks report with his comments, concerns and noted discrepancies of PE William Groves Subdivision Plan. It is our sincere hope that the PBA consider the disparities identified in Brennan Marks report prior to making any decisions or rendering any votes on this matter.**

Best regards  
Lincoln Hill Residents

Attachment: Brennan Marks Report



**Marks Engineering**  
42 Beeman St  
Canandaigua, NY 14424

October 25, 2016

Earl Coleates  
3517 Lincoln Hill Road  
Canandaigua, NY 14424

**RE: Jeffery 4-Lot Subdivision, Lincoln Hill Road, Town of Hopewell, New York**

Dear Mr. Coleates:

I have reviewed the documents for the above referenced project prepared by William Grove, P.E. dated April 28, 2016, with a revision date of June 27, 2016. The purpose of this Letter of Opinion is to provide design review comments outlining issues with the proposed project that are not in compliance with the current building codes and general engineering principals. The following is a list of design review comments:

- 1) The swales at the south side of Lot 2 and Lot 3 do not have the capacity to convey runoff from the contributing drainage areas. It appears that the swales are an average of 12" deep with a "V" profile. The swales should be designed based on 10 year storm event with 12" of freeboard and a "U" profile. These swales should have gradual grading to allow for mowing and maintenance. These swales should be continuous along the property line.
- 2) Drainage swales should be located at the downhill side of Lot 1 and Lot 4. These also should be sized accordingly. As shown on the drawings, the neighboring lot to the north (#3465) will receive a significant increase in surface water runoff from proposed Lot 1.
- 3) The applicant should provide drainage calculations for all swales and culverts.
- 4) In several instances, the plans show surface water being conveyed across the driveways. This will cause wash out, potholes and maintenance issues. Swales should be added on the uphill side of the driveways to convey surface water accordingly. It also appears that the driveways convey drainage towards Lincoln Hill Road. Measure should be taken to prevent the driveways from washing out into the road.
- 5) Per NYS Common Law, surface waters shall not be channelized and conveyed via piping and/or ditches to adjacent properties. Channelizing and discharging an increased amount of surface runoff to the adjacent property towards the north may result in property damage. The applicant shall provide good faith efforts to mitigate increased flows and divert runoff so that it will not impact property owners. Written agreement from the property owners should be provided to allow drainage onto their property and/or drainage easements.
- 6) The swales uphill from the proposed raised fill septic systems should be offset a minimum of 10 feet from the system taper. Swales at the edge of the taper may erode the raised fill or infiltrate into the absorption bed.
- 7) The plans should show septic tanks and piping for wastewater treatment systems.



**Marks Engineering**  
42 Beeman St  
Canandaigua, NY 14424

- 8) The plans state "PROPOSED RAISED FILL SEPTIC LOCATION SHOWN FOR DEMONSTRATION PURPOSES. SPECIFIC LOT SEPTIC PLAN TO BE APPROVED BY THE CANANDAIGUA LAKE WATERSHED INSPECTOR AND/OR NYSDOH PRIOR TO ISSUANCE OF A BUILDING PERMIT". The plans should demonstrate a design system based on actual site conditions and the proposed residential structures. The wastewater treatment systems appear to have a basal area of 2,015 square feet and a range of 2-4 feet of raised fill material. A soil analysis including perk tests and deep holes tests should be performed for each raised fill absorption beds. The plans indicate that a raised fill system will be required. Per NYS Appendix 75-A, the system will require 4 foot vertical separation of the boundary conditions such as heavy clays, bedrock and/or high seasonal ground water. A soil analysis should indicate elevation of the boundary conditions. Assuming that the raised fill is 3 foot deep, the site should have 1 foot of in-situ useable soil with an infiltration rate less than 60 minutes. Additionally, the raised fill systems appear to be sized based on a dwelling with a certain number of bedrooms. It is assumed from the basal area indicated that the house size is limited to 3 bedrooms. This should be labeled on the drawings and dwelling size restriction should be included in the application.
- 9) The application should provide a letter from the utility providers stating that they will service the new lots and dwellings.
- 10) The plans should show electric transformer locations for all lots.
- 11) All proposed underground utilities should be setback a minimum of 10 feet from the property line.
- 12) Dwellings at Lots 2, 3 and 4 appear to be greater than 600' (path of travel) from the hydrant indicated. A new hydrant shall be installed to provide fire service to the proposed dwellings.
- 13) The driveways for Lots 2, 3 and 4 are longer than 150 feet therefore should require a fire apparatus turnaround per 2015 International Fire Code Appendix D.
- 14) The application should provide supporting information that the town road and drainage system has the capacity to support the improvements and/or provide improvements that will be required for the proposed development. Drainage calculations should be provided for proposed culverts at Lincoln Hill Road.
- 15) The soil stockpiles appear to be undersized. The stockpiles should be shown large enough for the soil being removed from the building areas and areas receiving fill. The applicant should provide calculations and estimate stockpile sizes. The applicant should also state how the soil for the foundation and driveway will be managed. If this material will remain on the site then show cut-fill calculations and areas where the soil will be spoiled on the site.
- 16) The limits of disturbance should be inclusive of silt fence and stockpiles. Disturbance area should also include work areas around buildings, driveways, septic systems and utilities. This area should be at least 10 feet from equipment, staging and scaffolding, and should include access roads for truck access to the septic systems.
- 17) The plans indicate 3.42 acres of disturbance. The limits of disturbance should be modified for the comments stated above. Per NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activity GP-0-15-002, this project requires the applicant to prepare a Stormwater Pollution Prevention Plan (SWPPP). The GP-0-15-002 states that the SWPPP only requires Erosion and Sediment Controls if the disturbance greater than 1 acre but less than 5 acres for the following construction activities:

*"Single family residential subdivisions with 25% or less impervious cover at total site build-out and not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E."*



**Marks Engineering**  
42 Beeman St  
Canandaigua, NY 14424

This project is not located in a watershed listed in Appendix C and does not discharge to a 303(d) listed in Appendix E. It appears that after the limits of disturbance are revised for item listed above the disturbance will be greater than 5 acres. Residential subdivisions greater than 5 acres in disturbance will require a retention pond or other management practices to mitigate the stormwater volume and water quality generated from the site improvements.

- 18) Check dams or other erosion control measure should be provided to prevent erosion of swales per NYS DEC SPDES requirements.
- 19) Final property plat maps shall be prepared by a NYS Licensed Land Surveyor.
- 20) The plans should list bulk lot information demonstrating how each lot complies with the Town of Hopewell Zoning Code including use, setbacks, coverage, and green space.
- 21) It does not appear that the Town of Hopewell is enforcing an access management plan, but the Town should consider requiring a single shared access driveway for all lots to reduce the number of curb-cuts and traffic confusion. The plans should indicate the site distances for all proposed driveways. Neighboring property driveways should be identified on the drawings.
- 22) The lots should have a filed Homeowners' Association for the up-keep of common drainage, driveways and utilities.
- 23) Snow removal from Lot 4 driveway may encroach and cause drifting onto neighboring lots.
- 24) This subdivision appears to be exceeding the general density of this neighborhood by requiring several exceptions to zoning requirements and compromising the integrity of the neighboring community. The applicant should consider reducing the number of lots and provide a single shared access point.

Please let me know if you have any questions or concerns.

Sincerely,

**Marks Engineering, P.C.**

**Brennan Marks, P.E.**

**Principal Engineer**

[bmarks@marksengineering.com](mailto:bmarks@marksengineering.com)

(585)905-0360

\* pertains to 2010 Jeffery application



# Marks Engineering

42 Beeman Street  
Canandaigua, NY 14424

## Invoice

Date	Invoice #
10/17/2016	1131

<b>Bill To</b>
Earl Coleates 3517 Lincoln Hill Road Canandaigua, NY 14424

<b>Project #</b>
16-057

<b>Terms</b>
Due upon receipt

Qty	Item Code	Description	Rate	Amount
1	Civil Engineering	Prepared Letter of Opinion	700.00	700.00
		Honewell, New York		

MARKS ENGINEERING  
42 BEEMAN STREET  
CANANDAIGUA, NY 14424  
TEL: 585-329-6138  
WWW.MARKSENGINEERING.COM

BY: [Signature]

DATE: 11-3-16

PAY TO THE ORDER OF Marks Engineering \$ 700.00  
Seven hundred dollars & 00/100 DOLLARS

CANANDAIGUA, NY 14424  
14424  
14424

Earl Coleates

87.50

We reserve the right to apply a 2% finance charge to any invoice not paid within thirty (30) days.

Invoice Total	\$700.00
Payments/Credits	0.00

Phone: (585) 329-6138  
E-mail: bmarks@marksengineering.com

<b>Balance Due</b>	<b>\$700.00</b>
--------------------	-----------------

Document Type: DEED  
Document Status: Recorded and Verified document  
Recorded Date: 05/18/2020 12:24:18 PM  
Control Number: 202005180109  
T/T #: TX 2020 002871  
IN #: IN 2020 004671  
Book / Page: D 01450 0504  
Transfer Amt: \$0.00  
Town: Town of Hopewell  
Town Additional:  
Property Desc: VACANT LAND LINCOLN HILL ROAD  
Notes:  
Submitter: PAUL T RUBERY

**Name Information**

**Grantor:**  
JEFFERY EMILY M

**Grantee:**  
DUGAN PAULA  
JEFFERY JOHN A

# TOWN OF HOPEWELL

2716 COUNTY RD #47 - CANANDAIGUA, NY 14424

SPECIAL USE # PZ-2020-004 SPECIAL USE (APPLICATION TO PLANNING BOARD) DATE: 1/6/2020

TO THE PLANNING BOARD, TOWN OF HOPEWELL, NEW YORK

I (we) Rodney Thorn of 2294 Toll Road  
(Name of Applicant) (Street Number)

Phelps NY HEREBY APPEAL TO THE PLANNING BOARD FROM  
(Municipality) (State)

DECISION OF THE BUILDING INSPECTOR ON APPLICATION FOR BUILDER'S PERMIT NO. \_\_\_\_\_ DATE \_\_\_\_\_

WHEREBY THE BUILDING INSPECTOR DID: GRANT ( ) DENY ( ) VIOLATION NOTICE ( )

TO: \_\_\_\_\_  
(Name of Applicant for Permit)

OF: \_\_\_\_\_

( ) a permit for use ( ) a permit for occupancy ( ) a building permit

1. Location of Property 4392 County Road 150 Canandaigua NY 14424 Town of Hopewell  
(Street and Number) Use District on Zoning Map

2. Provisions of the Zoning Ordinance Appealed, (Indicate the article, section, subsection, and paragraph of the Zoning Ordinance being appealed by number. Do not quote Ordinance.) \_\_\_\_\_

\*\*REQUIRES ONTARIO COUNTY PLANNING BOARD REFERRAL: \_\_\_\_\_ YES \_\_\_\_\_ NO

3. Type of appeal. Appeal is made herewith for:

- ( ) An Interpretation of the Zoning Ordinance or Zoning Map
- () A Special Use Permit under Zoning Ordinance **ATTACH PART 3 - SPECIAL USE APPLICATION**
- ( ) A Variance to the Zoning Ordinance
- ( ) Use Variance **ATTACH PART 2 - USE VARIANCE APPEAL**
- ( ) Area Variance **ATTACH PART 2 - AREA VARIANCE APPEAL**

4. Previous Appeal. A previous appeal ( ) has ( ) has not been made with respect to this decision of the Building Inspector or with respect to this property. Such appeal(s) was (were) in the form of:

- ( ) a requested interpretation ( ) a request for a variance
- ( ) a request for a special permit ( ) a temporary permit

And was (were) made in Appeal No. \_\_\_\_\_ Dated \_\_\_\_\_

5. Reason for Appeal. (Complete relevant blank and provide all other written relevant information as possible.)

A. An Interpretation of the Zoning Ordinance is requested because: \_\_\_\_\_

B. A Special Permit under the Zoning Ordinance is requested pursuant to Article \_\_\_\_\_ Section \_\_\_\_\_  
Subsection \_\_\_\_\_, Paragraph \_\_\_\_\_ of the Zoning Ordinance because: \_\_\_\_\_

C. Provide brief description of Variance: \_\_\_\_\_

Rodney Thorn  
(Applicant's Name - PLEASE PRINT CLEARLY)

Rodney Thorn  
(Applicant's Name - Signature)

Applications will NOT BE ACCEPTED or SENT to the Ontario County Planning Board for review or placed on agendas for Town of Hopewell Planning Board and Zoning Board of Appeals unless the application has been COMPLETED IN FULL.. NO EXCEPTIONS.

DATE RECEIVED: 2-3-20

TOWN OF HOPEWELL  
2716 COUNTY ROAD #47  
CANANDAIGUA, NEW YORK 14424

SITE PLAN APPROVAL: X PZ-2020-004  
SUBDIVISION/PLAT APPROVAL: -

Preliminary: \_\_\_\_\_ Date: \_\_\_\_\_ Final: \_\_\_\_\_ Date: \_\_\_\_\_  
Name of Proposed Development: \_\_\_\_\_  
Applicant: Lakeshore Laundryland Apartments & Storage Plans Prepared by: McCormick Engineering PC  
Name: Rodney Thorn Name: Jason T. McCormick, PE  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
4392 County Road 50 294 Skuse Road, Geneva, NY 14456

Telephone: 315-548-3332 Telephone: 585-721-7219  
Owner (if different): \_\_\_\_\_ Additional Approval Required:  
Name: \_\_\_\_\_ Water District:   
Address: \_\_\_\_\_ Highway Department:   
Telephone: \_\_\_\_\_ NYSDOH:  NYSDEC:   
County Sewer Dept.:   
Other:

Ownership intentions or project description: \_\_\_\_\_  
Overflow Parking for CMAC events - total of 54 spaces

Location of site: 4392 County Road 50

Requires County Planning Board Action: yes:  no:   
Has Application been forwarded to the County?: yes:  no:

Tax Map description: 85.03-1-3.000  
Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

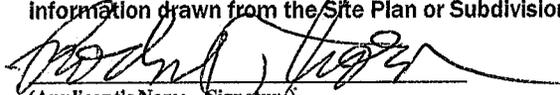
- 1. Current zoning classification: C-1
- 2. Building size in square feet: na
- 3. Total site area (square feet or acres): 0.651
- 4. Current land use of site (agriculture, commercial, undeveloped, etc.): \_\_\_\_\_

Commercial - laundromat, apartment & storage

5. Character of surrounding lands (suburban, agriculture, wetlands, etc.): \_\_\_\_\_  
Commercial Development, Residential

- 6. Anticipated construction time: NA
- 7. Will development be staged? No

The Applicant shall submit 10 copies of the Preliminary Site Plan or Subdivision Plat with information drawn from the Site Plan or Subdivision Application checklist attachment.

  
(Applicant's Name - Signature)

Application Fee \$ 150  
Public Hearing Notice Fee \$ 45

DATE RECEIVED: \_\_\_\_\_

TOWN OF HOPEWELL  
2716 COUNTY ROAD #47  
CANANDAIGUA, NEW YORK 14424

SITE PLAN APPROVAL: X *PZ-2020-004*

SUBDIVISION/PLAT APPROVAL: -

Preliminary: \_\_\_\_\_ Date: \_\_\_\_\_ Final: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Proposed Development: \_\_\_\_\_

Applicant: Lakeshore Laundryland Apartments & Storage Plans Prepared by: McCormick Engineering PC

Name: Rodney Thorn

Name: Jason T. McCormick, PE

Address: \_\_\_\_\_

Address: \_\_\_\_\_

4392 County Road 50

294 Skuse Road, Geneva, NY 14456

Telephone: 315-548-3332

Telephone: 585-721-7219

Owner (if different): \_\_\_\_\_

Additional Approval Required:

Name: \_\_\_\_\_

Water District:

Address: \_\_\_\_\_

Highway Department:

NYSDOH:

NYSDEC:

Telephone: \_\_\_\_\_

County Sewer Dept.:

Other:

Ownership intentions or project description: \_\_\_\_\_

Overflow Parking for CMAC events - total of 54 spaces

Location of site: 4392 County Road 50

Requires County Planning Board Action:

yes:

no:

Has Application been forwarded to the County?:

yes:

no:

Tax Map description: 85.03-1-3.000

Section: \_\_\_\_\_

Block: \_\_\_\_\_

Lot: \_\_\_\_\_

1. Current zoning classification: C-1
2. Building size in square feet: na
3. Total site area (square feet or acres): 0.651
4. Current land use of site (agriculture, commercial, undeveloped, etc.): \_\_\_\_\_

Commercial - laundromat, apartment & storage

5. Character of surrounding lands (suburban, agriculture, wetlands, etc.): \_\_\_\_\_

Commercial Development, Residential

6. Anticipated construction time: NA

7. Will development be staged? No

The Applicant shall submit 10 copies of the Preliminary Site Plan or Subdivision Plat with information drawn from the Site Plan or Subdivision Application checklist attachment.

*Rodney Thorn*  
(Applicant's Name - Signature)

Application Fee \$ 150

Public Hearing Notice Fee \$ 45

# TOWN OF HOPEWELL

2716 COUNTY RD #47 - CANANDAIGUA, NY 14424

(SPECIAL USE PERMIT APPLICATION)

PART III

APPLICATION NO.: P2020-004 DATE: 1/6/2020

DESCRIPTION OF SPECIAL USE PERMIT: Emac Parking Late June to early September

**PURSUANT TO PART 305-D OF THE TOWN ZONING ORDINANCE:** All applications for Special Use permits shall be filed with the Zoning Officer in writing, shall be made on a form required by the Board, and shall be accompanied by two copies of a site plan, drawn to scale and accurately dimensional, showing the location of all existing and proposed buildings and structures on lot; an area map showing all properties, their use and streets within 500 feet of the property, special land features; such as, streams, creeks, areas subject to flooding, areas or steep slope (in excess of fifteen percent), and also showing all existing or proposed landscaping, lighting, streets, roads, parking, utilities, signs, open space and any other feature that will enable the Planning Board to make its determination.

Whenever the Planning Board grants a Special Use Permit, appropriate conditions and safeguards and/or time limitations may be attached thereto so as to guarantee that the use of premises in the vicinity and district in which the subject property is situated will be adversely affected as little as is reasonably possible.

Any Special Use permit, which is not exercised within one year from the date of issuance, shall thereon automatically expire. Special Use permits are **not** transferrable.

1. Guiding Principles and Standard – Pursuant to Part 305 D #1-8 of the Town Zoning Ordinance:
  - a. The use must be one specifically enumerated as a permitted Special Use in the district within which it is to be located.
  - b. For every Special Use, the Planning Board shall make a specific finding, supported by evidence produced at a public hearing in a manner provided by law, that such use will not be prejudicial to the character of the area.
  - c. For every such Special Use, the Planning Board shall determine that there are fully adequate parking areas and off-street loading spaces, in conformity with the proposed parking requirements of the zoning requirements of the Zoning Ordinance and all other related ordinances.
  - d. For every such Special Use, the Planning Board shall determine that there is appropriate provision for access facilities adequate for the estimated traffic from public streets and pedestrian walkways so as to insure public safety and to avoid traffic congestion.
  - e. For every such Special Use, the Planning Board may require suitable planting or screening.

Rodney Thoren

(Applicant's Name – PLEASE PRINT CLEARLY)

Rodney Thoren

(Applicant's Name – Signature)

Application Fee: \$ \_\_\_\_\_

Public Hearing Notice Fee: \$ \_\_\_\_\_

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

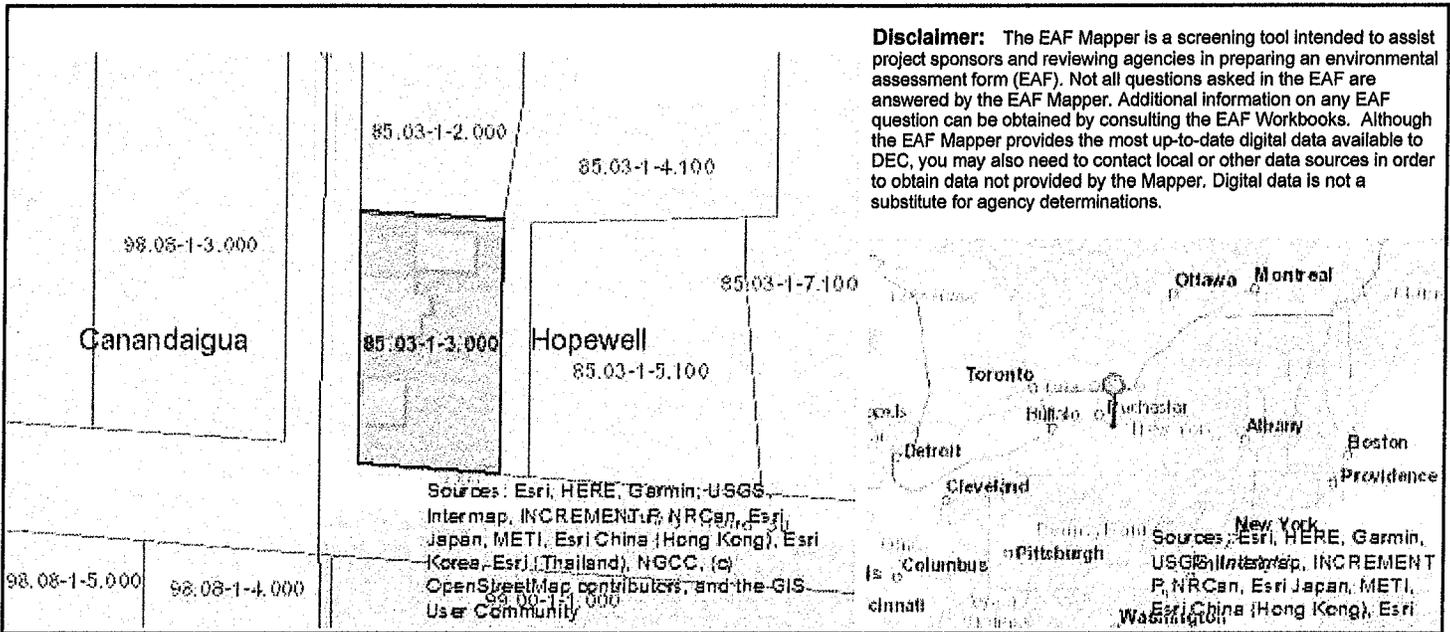
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Parking for CMAC Events			
Project Location (describe, and attach a location map): 4392 County Road 50 - Intersection of County Road 10 and County Road 50, Town of Hopewell, Ontario County, NY			
Brief Description of Proposed Action: Provide over parking for CMAC Events. 54 spaces, each 9'x20' are proposed. Attendants will be on-site to assist in parking as well as to assist in exiting the site after the event.			
Name of Applicant or Sponsor: Lakeshore Drive Laundryland Apartments & Storage- Rodney Thorn		Telephone: 315-548-3332 E-Mail: rthorn4966@outlook.com	
Address: 2294 Toll Road			
City/PO: Phelps		State: NY	Zip Code: 14532
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Special Use Permit from Town of Hopewell		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.651 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.651 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
Not applicable - the proposed action is for overflow parking resulting from events at CMAC Facility	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____			
Water is not required for the proposed action	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____			
Wastewater will not be generated from the proposed action	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: <hr/> There are no site improvements proposed for this action		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: _____		Date: _____
Signature: _____		Title: _____



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

# Zoning and Building Department

## TOWN OF HOPEWELL

2716 County Road #47  
Canandaigua, New York 14424  
585-394-3850 ext. 4

[www.townofhopewell.org](http://www.townofhopewell.org)

TDD: 1-800-662-1220

FAX: 585-394-8714

### AFFIDAVIT OF SIGN POSTING

Application # PZ-2020-004

In the matter of the application of Rodney Thorn  
(Indicate Applicant's Name)

before the Town of Hopewell Planning/Zoning Board located at

4392 County Road 50 Canandaigua NY  
(Indicate Location of Proposed Improvements)

in the Town of Hopewell, New York. Rodney Thorn, being duly sworn, says:  
(Indicate Name of Person that placed the Sign)

I am over 18 years of age and reside at 2294 Toll Road Phelps NY 14532  
(Indicate Street Address, City/Town/Village and State of Person That Placed the Sign)

On Friday March 6<sup>th</sup>, 20 20, I posted a sign at  
(Indicate Day, Month, and Year, When Signage Was Placed)

corner county rd 50 and county rd 10 noticing that this  
(Indicate the Property Associated with the Proposed Action)

property is under review by the Town of Hopewell in accordance with the sign posting requirements set forth in the Town of Hopewell Zoning Ordinance.

(Signed) Rodney Thorn  
(Signature of Person that Placed the Sign)

AMANDA BENGGE  
Notary Public - State of New York  
No. 01BE6236925  
Qualified in Wayne County  
My Commission Expires March 7, 2023

Sworn to before me this <u>9<sup>th</sup></u> day of <u>March</u> , 20 <u>20</u> . <u>Amanda Bengge</u> (County Clerk or Notary Public)
--

*Please attached a picture of sign(s) to this affidavit.  
Sign posting instructions are included on pg. 2 of this affidavit.*



Zoning & Subdivision Referral Cover Sheet

# Planning Board

Municipality and Referring Agency Town of Hopewell

Referring Official (name, title) Norman Teed, Code Enforcement Officer on behalf of the Town of Hopewell Planning Board

Applicant (name & address) Rodney C. Brown, 2586 St. Rte. 488, Clifton Springs, NY 14432

Project Location - Shekel Rd. TM. ID. # 60.00-1-22.100

Email \_\_\_\_\_

Property Owner (name & address) Same

Project Location - Shekel Rd. TM. ID. # 60.00-1-22.100

Email \_\_\_\_\_

Other Agent or Representative (Attorney, Architect, etc) (name & address) Jess Engineering

2121 C.R. 10, Alpine, NY 14805

Email \_\_\_\_\_

### Property Information:

Tax Map Parcel #'s 60.00-1-22.100 Zoning AG

### Utilities:

Sewer  Public  Private

Water  Public  Private

Drainage  Public  Private

### Application Type

### Sections of Local Code(s) that apply to this application

Area Variance

HTO Article VI, 600 B. 3, HTO Article XVI Site Plan Review & Approval

Use Variance

Construction of a manure storage facility.

Special Use Permit

**Certification:** *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

Site Plan

Subdivision

Norman Teed C.E.O. Town of Hopewell, Referring Official

Text Amendment

Map Amendment

Other  Appl. # PZ-2020-005

Provision of required information is the responsibility of the applicant and referring agency. Failure to provide such information may result in a significant delay in processing.

This form can be filled out online at: <http://www.co.ontario.ny.us/planning/acrobat/cpb/CPBform.pdf>

DATE RECEIVED: 2-11-20

TOWN OF HOPEWELL  
2716 COUNTY ROAD #47  
CANANDAIGUA, NEW YORK 14424

PZ-2020-005

SITE PLAN APPROVAL:

SUBDIVISION/PLAT APPROVAL:

Preliminary: Date: \_\_\_\_\_

Final: Date: \_\_\_\_\_

Name of Proposed Development: \_\_\_\_\_

Applicant: Rodney C. Brown

Plans Prepared by: JESS Engineering

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: 2586 Rte 488  
Clifton Springs, NY 14432

Address: 2121 CR 10  
Alpine, NY 14805

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

Owner (if different): SAME

Additional Approval Required:

Name: \_\_\_\_\_

Water District:

Address: \_\_\_\_\_

Highway Department:

NYSDOH:

NYSDEC:

Telephone: 585-329 9668

County Sewer Dept.:

Other:

Ownership intentions or project description: \_\_\_\_\_

Manure Storage facility 3,284,662 gallon facility

Location of site: 186.5123

Requires County Planning Board Action:

yes:

no:

Has Application been forwarded to the County?:

yes:

no:

Tax Map description:

Section: 60.00

Block: 1

Lot: 22.100

1. Current zoning classification: AG
2. Building size in square feet: 350' x 210'
3. Total site area (square feet or acres): 3-4 acres distributed
4. Current land use of site (agriculture, commercial, undeveloped, etc.): Agricultural

5. Character of surrounding lands (suburban, agriculture, wetlands, etc.): \_\_\_\_\_

Agricultural

6. Anticipated construction time: 6-12 months

7. Will development be staged? NO

The Applicant shall submit 10 copies of the Preliminary Site Plan or Subdivision Plat with information drawn from the Site Plan or Subdivision Application checklist attachment.

Rodney Brown  
(Applicant's Name - Signature)

haffdatch11c@gmail.com

Application Fee \$ 300<sup>00</sup>

Public Hearing Notice Fee \$ 45<sup>00</sup>

# Ad  
2254  
2/11/20

**AGRICULTURAL DATA STATEMENT**

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: RODNEY C BROWN  
Mailing address: 2586 RTE 488  
CLIFTON SPRINGS

B. Description of the proposed project: MANURE STORAGE FACILITY

C. Project site address: SHEIKEL RD Town: HOPEWELL

D. Project site tax map number: 60.00 - 1 - 22.100

E. The project is located on property:  
 within an Agricultural District containing a farm operation, or  
 with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: 3.4

G. Is any portion of the project site currently being farmed?  
 Yes. If yes, how many acres 4 or square feet \_\_\_\_\_ ?  
 No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.

LANDMARK FARMS 2607 RTE 488 CLIFTON SPRINGS NY 14932  
PETER MASLYN 2605 TAYLOR RD CLIFTON SPRINGS NY 14437

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

**FARM NOTE**

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

Rodney Brown owner  
Name and Title of Person Completing Form

2/10/2020  
Date

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>HALF DUTCH FARM MANURE STORAGE FACILITY</i>			
Project Location (describe, and attach a location map): <i>SHEKELL RD CLIFTON SPRINGS NY 14432 TAX MAP 60.00-1-22.100</i>			
Brief Description of Proposed Action: <i>BUILD AN EARTHEN STORAGE FACILITY</i>			
Name of Applicant or Sponsor: <i>RODNEY BROWN</i>		Telephone: <i>585-329-9668</i>	
Address: <i>2586 RTE 488</i>		E-Mail: <i>halfdutch11c@gmail.com</i>	
City/PO: <i>CLIFTON SPRINGS NY.</i>		State: <i>NY</i> <i>14432</i>	Zip Code: <i>14432</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>ONTARIO COUNTY SOIL AND WATER CONSERVATION DISTRICT</i> <i>NATURAL RESOURCES CONSERVATION SERVICE</i>			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>4</i> acres	
b. Total acreage to be physically disturbed?		<i>4</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>186.5</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	<b>NO</b>  <input checked="" type="checkbox"/>	<b>YES</b>  <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	<b>NO</b>  <input checked="" type="checkbox"/>	<b>YES</b>  <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	<b>NO</b>  <input checked="" type="checkbox"/>	<b>YES</b>  <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>ROONEY BROWN</u> Date: <u>2/10/2020</u> Signature: <u>Rodney Brown</u>		