

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – November 23, 2020

**Present:** Chairman Jim Bator, Sylvia Moore, Phil Bassage, Allan Wesche, Jim Carello, Shawn Cotter, CEO Justin Bruen, Lance Brabant (MRB), Mickie Kelly, Tim Vaughan, W. Clarence Chappell, Leslie Payne, Matthew Eddy, R. Eddy

**Absent:** Ryan Bruzda

**On-Line-Call In:** Nick Sergeant (Board Member) No one else phoned-in or joined on-line.

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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 October 26, 2020 minutes.

Jim Carello moved to approve the October 26, 2020 minutes as amended. Motion seconded and carried.

**Public Hearings:**

**Clarence Chappell – 2721 County Rd 10 – PZ-2020-024 - TM 72.00-1-55.210  
Special Use Permit Renewal – Gunsmithing Shop**

The Chairman opened the public hearing for Clarence Chappell. The secretary read aloud the public notice.

No one from the public spoke concerning the Clarence Chappell application.

Sylvia Moore moved to close the public hearing for Clarence Chappell, application PZ-2020-024, seconded by Allan Wesche. Motion carried.

**Leslie Payne - Corner of State Route 488 & Pettit Rd. - PZ-2020-018  
TM 58.00-2-55.220/230 - Subdivision (combine two lots into one parcel)**

The Chairman opened the public hearing for Leslie Payne. The secretary read aloud the public notice.

Mr. Payne stated he previously subdivided his parcel into three individual lots in 2018. One lot was sold. At this time, he is seeking to re-join the two remaining parcels into one lot for single family residential use.

No one from the public spoke concerning the Leslie Payne application.

Jim Carello moved to close the public hearing for Leslie Payne, application PZ-2020-018, seconded by Phil Bassage. Motion carried.

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## **Matthew Eddy – 2032 State Route 21 – PZ-2020-022 – TM 58.00-1-63.000 Special Use for pre-existing In-Law Apartment**

The Chairman opened the public hearing for Matthew Eddy. The secretary read aloud the public notice.

Mr. Eddy stated his home has a pre-existing in-law suite and is seeking a special use permit for the apartment, in order to use it legally.

No one from the public spoke concerning the Matthew Eddy application.

**Sylvia Moore moved to close the public hearing for Matthew Eddy, application PZ-2020-22, seconded by Allan Wesche. Motion carried.**

## **Screams & Dreams – 3188 County Rd. 4 - PZ-2020-012 – TM 73.00-1-24.130 Subdivision (divide parent parcel into 4 lots)**

The Chairman opened the public hearing for Screams and Dreams. The clerk read aloud the public notice.

No one from the public spoke concerning the Screams and Dreams application.

**Allan Wesche moved to close the public hearing for Screams & Dreams, application PZ-2020-012, seconded by Phil Bassage. Motion carried.**

### **Board Business:**

## **Clarence Chappell – 2721 County Rd 10 – PZ-2020-024 - TM 72.00-1-55.210 Special Use Permit Renewal – Gunsmithing Shop**

CEO Bruen stated Mr. Chappell is seeking to renew his special use permit for his gunsmithing shop. At this time, all previous permits have been closed out, pertaining to the single-family home and accessory structures. He added, he has received no complaints from the neighbors concerning the gunsmithing shop, and Mr. Chappell has been cleaning up the property as agreed at last year's Planning Board meeting.

Mr. Chappell stated it has been a long process cleaning up the property. Two trailers have been removed from the site and another remains. He added, he has been taking photos of the clean-up process and will continue to move forward with the clean-up as time and weather allows.

Mr. Chappell stated he has had no complaints from neighbors concerning his gunsmithing shop. He has placed a bullet trap on the property, no issues have arisen from the neighbors.

Allan Wesche asked if the business is meeting Mr. Chappell's expectations.

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Mr. Chappell stated the business is moving forward slowly, but is progressing.

The Board discussed and were in agreement with extending Mr. Chappell's special use permit to 3 years.

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
CLARENCE CHAPPELL – HOME OCUPATION (GUNSMITHING SHOP)  
2721 COUNTY ROAD 10 – R-1 ZONING DISTRICT  
TM# 72.00-1-55.210 - PZ-2020-024  
RENEWAL OF SPECIAL USE PERMIT & SITE PLAN APPROVAL**

**RENEWAL OF SPECIAL USE PERMIT & SITE PLAN APPROVAL RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering renewing the Site Plan & Special Use Permit Approval to allow the use of a permitted accessory structure to be utilized as a shop in order to operate "gunsmithing" business on site at property addressed 2721 County Road 10 and as discussed with the Planning Board at their November 23, 2020 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 November 23, 2020; and

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

1. The special use permit shall remain in effect for the current owners of the premises and/or operators for three years, provided the use remains in compliance with the conditions of approval and Town Code.
2. 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.
3. 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 Allan Wesche and seconded by James Carello at a meeting of the Planning Board held on Monday, November 23, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – AYE	James Carello – AYE	Phil Bassage - AYE	Sylvia Moore - AYE
Allan M. Wesche - AYE	Ryan Bruzda – Absent	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 November 23, 2020 meeting.

Shawn L. Cotter L. S. Planning Board Secretary

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## **Leslie Payne - Corner of State Route 488 & Pettit Rd. - PZ-2020-018 TM 58.00-2-55.220/230 - Subdivision (combine two lots into one parcel)**

Mr. Payne is seeking to combine two parcels into one.

1. The Board discussed the discrepancy on subdivision plans submitted to the Board. A letter from the Land Surveyor is to be provided to the Town clarifying the discrepancy between the original approved subdivision plan and the proposed re-subdivision plan as presented at tonight's Planning Board Meeting as the bearings and distances do not match. This letter is provided prior to the plans being signed.

Mr. Payne agreed to contact his engineer and get the matter straightened out.

There are no comments from County Planning Board pertaining to the Leslie Payne subdivision application.

### **TOWN OF HOPEWELL PLANNING BOARD RESOLUTION MARKS ENGINEERING REPRESENTING LESLIE PAYNE SUBDIVISION APPLICATION (COMBINE 2-LOTS INTO 1 LOT) CORNER OF STATE RTE 488 & PETTIT ROAD – AG ZONING DISTRICTS TM#58.00-2-55.220/230 PZ 2020-018 FINAL RE-SUBDIVISION REVIEW**

#### **FINAL RE-SUBDIVISION PLAN APPROVAL RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Final Resub division Approval to combine two lots, Lot 2 at 0.821 acres and Lot 3 at 1.242 acres into one single lot to create a 2.063-acre parcel as shown on the Subdivision Plat prepared by Freeland Parrinello Land Surveyor and all other relevant information submitted as of November 23, 2020 (the current application); 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 November 23, 2020; 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:

2. 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.
3. 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.

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4. A letter from the Land Surveyor is to be provided to the Town clarifying the discrepancy between the original approved subdivision plan and the proposed re-subdivision plan as presented at tonight's Planning Board Meeting as the bearings and distances do not match. This letter is provided prior to the plans being signed.

The above resolution was offered by James Carello and seconded by Allan Wesche at a meeting of the Planning Board held on Monday, November 23, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator - AYE	James Carello – AYE	Phil Bassage – AYE	Sylvia Moore -AYE
Allan M. Wesche - AYE	Ryan Bruzda – Absent	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 November 23, 2020 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

## **Matthew Eddy – 2032 State Route 21 – PZ-2020-022 – TM 58.00-1-63.000 Special Use for pre-existing In-Law Apartment**

Mr. Eddy stated he is trying to get a line of credit on his home in order to keep afloat due to COVID-19. At this time, the bank is requiring documentation from the Town, affirming the family/care giver apartment is a legal use and has necessary permits.

CEO Bruen stated he will be inspecting the property to ensure fire/carbon monoxide detectors are functioning, as well as all safety issues pertaining to the property.

The Board briefly discussed the application.

Chairman Bator stated the apartment is to be used solely as a family/care-giver apartment. If to be used as anything else in the future, the applicant must come back before the Planning Board to seek approval for any permitted use in the TOH zoning district where the property is located. He further added, the apartment is not to be rented outside of family use in order to generate an income.

Mr. Eddy concurred with the Chairman's statement.

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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
MATHEW EDDY – FAMILY IN LAW APARTMENT  
2032 ST. RTE 21 – R-1 ZONING DISTRICT  
TM# 58.00-1-63.000 PZ-2020-022  
SPECIAL USE PERMIT & SITE PLAN APPROVAL**

**SEQR RESOLUTION – TYPE II ACTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Site Plan & Special Use Permit Approval to allow for use of a family In-Law Caregiver Apartment attached to the primary dwelling on property addressed 2032 State Route 21 as discussed with the board at their November 23, 2020 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 Allan Wesche and seconded by Phil Bassage at a meeting of the Planning Board held on Monday, November 23, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – AYE

James Carello – AYE

Phil Bassage – AYE

Sylvia Moore - AYE

Allan M. Wesche – AYE

Ryan Bruzda – Absent

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 November 23, 2020 meeting.

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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION**  
**MATHEW EDDY – FAMILY-IN LAW APARTMENT**  
**2032 ST. RTE 21 – R-1 ZONING DISTRICT**  
**TM# 58.00-1-63.000 PZ-2020-022**  
**SPECIAL USE PERMIT & PRELIMINARY/ FINAL SITE PLAN APPROVAL**

## **SPECIAL USE PERMIT APPROVAL RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Site Plan & Special Use Permit Approval to allow for use of a family In-Law Caregiver Apartment attached to the primary dwelling on property addressed 2032 State Route 21 as discussed with the board at their November 23, 2020 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 November 23, 2020; and

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

5. 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.
6. 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.
7. 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 Allan Wesche and seconded by James Carello at a meeting of the Planning Board held on Monday, November 23, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator - AYE	James Carello – AYE	Phil Bassage - AYE
Sylvia Moore – AYE	Allan M. Wesche – AYE	Ryan Bruzda -Absent
		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 November 23, 2020 meeting.

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## **Screams & Dreams – 3188 County Rd. 4 - PZ-2020-012 – TM 73.00-1-24.130 Subdivision (divide parent parcel into 4 lots)**

The Board briefly discussed the subdivision plan submitted by the applicants.

There are no comments from the County Planning Board.

Neither the applicant or representative of the applicant were present at the Planning Board meeting.

**Sylvia Moore moved to table the application for Screams and Dreams sub-division to the January 25, 2021 Planning Board meeting in order for the applicant to address questions pertaining to the submitted sub-division application, seconded by Jim Carello. Motion carried unanimously.**

### **Board Business: Jeffery Subdivision – Lincoln Hill Rd.**

Lance Brabant briefly reviewed the Lincoln Hill Rd. Jeffery application status. He stated the ZBA has the variance applications on their agenda for December 19, and at this time both the Board of Appeals and the Planning Board have closed the Public Hearings pertaining to this application.

Bill Grove (Grove Engineering) sent an e-mail requesting an additional 60-day extension from the Planning Board for the Jeffery subdivision application in order for the Board of Appeals to complete the variance applications on their end.

**Allan Wesche moved to extend the Lincoln Hill Rd., Emily Jeffery subdivision application for an additional 60-days. Application, PZ-2019-039 is to be set on the December 17, 2020 Planning Board agenda. Seconded by Sylvia Moore, motion carried unanimously.**

### **Public Hearing/County Planning Board Referrals:**

**Allan Wesche moved to authorize the staff to publish a public hearing notice for Screams & Dreams, 3188 County Rd. 4 - PZ-2020-012 – TM 73.00-1-24.130 - Subdivision (divide parent parcel into 4 lots) for the January 25, 2021 Planning Board meeting, seconded and carried.**

### **Adjournment:**

**Jim Carello motioned to adjourn, seconded and carried. Meeting adjourned at 8:25 p.m.**

**Submitted by: *Shawn L. Cotter* – December 17, 2020**



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## Project: Clarence Chappell

Tax Map # 72.00-1-55.210 – 2721 County Rd. 10 – Canandaigua – NY 14424  
Application #PZ-2020-024  
Special Use Permit Renewal

APPLICANT/OWNER NAME (S) Clarence Chappell

SUBJECT PROPERTY ADDRESS: 2721 County Rd 10 – Canandaigua – NY 14424

PROJECT: Subdivision ☒ Site Plan ☒ Special Use Permit Area Variance

PUBLIC HEARING: Date Opened November 23, 2020 Date Closed November 23, 2020

PLANNING BOARD APPROVAL: ☒ Granted Denied Date November 23, 2020

VOTING: ☒ AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSTAINED

### APPROVALS/CONDITIONS OR MODIFICATIONS:

1. The special use permit shall remain in effect for the current owners of the premises and/or operators for three years, provided the use remains in compliance with the conditions of approval and Town Code.
2. 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.
3. 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.

CERTIFIED BY: Shawn L. Potter DATE: November 23, 2020

Final approval requires chairperson signature on the plan. All above conditions and/or modifications must be satisfied prior to signature. For a subdivision, a linen or Mylar with four copies must be signed. The town will retain two copies. The Ontario County Clerk requires the original and two copies for filing. For a sign application, a permit must be obtained prior to erection of the sign.

Copies: Code Enforcement Officer/Applicant/File

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## Project: Leslie Payne

Tax Map # 58.00-2-55.220/230 – Corner of Pettit Rd & State Route 488  
Application #PZ-2020-018  
Subdivision (2 parcels into 1 lot)

APPLICANT/OWNER NAME (S) Leslie Payne

SUBJECT PROPERTY ADDRESS: Corner of Pettit Rd. and State Route 488 -

PROJECT: ☒ Subdivision ☒ Site Plan ☐ Special Use Permit ☐ Area Variance

PUBLIC HEARING: Date Opened November 23, 2020 Date Closed November 23, 2020

PLANNING BOARD APPROVAL: ☒ Granted ☐ Denied Date November 23, 2020

VOTING: ☒ AYE ☐ NAY ☐ ABSTAINED

### APPROVALS/CONDITIONS OR MODIFICATIONS:

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. A letter from the Land Surveyor is to be provided to the Town clarifying the discrepancy between the original approved subdivision plan and the proposed re-subdivision plan as presented at tonight's Planning Board Meeting as the bearings and distances do not match. This letter is provided prior to the plans being signed.

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## Project: Matthew Eddy

Tax Map # 58.00-1-63.000– 2032 State Route 21

Application #PZ-2020-022

Special Use Permit – In-law/Caregiver apartment

APPLICANT/OWNER NAME (S) Matthew Eddy

SUBJECT PROPERTY ADDRESS: 2032 State Route 21 - Canandaigua, NY

PROJECT:      Subdivision      Site Plan ☒      Special Use Permit      Area Variance

PUBLIC HEARING:      Date Opened November 23, 2020      Date Closed November 23, 2020

PLANNING BOARD APPROVAL:      ☒ Granted      Denied      Date November 23, 2020

VOTING:      ☒ AYE      \_\_\_\_\_ NAY      \_\_\_\_\_ ABSTAINED

### APPROVALS/CONDITIONS OR MODIFICATIONS:

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