

MINUTES OF THE CANANDAIGUA CITY
SPECIAL COUNCIL MEETING
THURSDAY, MARCH 19 7:30 P.M.
Hurley Building, 205 Saltonstall St.
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:30 PM

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Ian Boni
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large Maria Bucci
Mayor Ellen Polimeni

Members Absent: Councilmember-at-Large Donna Cator
Councilmember-at-Large James Terwilliger
Councilmember-at-Large David Whitcomb

Also Present: City Manager David R. Forrest
Corporation Counsel Michele O. Smith

Review Core Values: Mayor Polimeni read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Resolutions:

Resolution #2015-028:

Councilmember Ward 1 Cutri read the following Resolution and moved for its adoption. Councilmember-at-Large Bucci seconded the motion.

**A RESOLUTION ISSUING A WRITTEN STATEMENT APPROVING THE REVISED
PRELIMINARY SITE PLAN FOR THE FOR THE COTTAGES AT CANANDAIGUA
RESIDENTIAL COMMUNITY,
PLANNED UNIT DEVELOPMENT**

WHEREAS, by Resolution 2014-059, the City Council accepted the sketch plan for the Cottages at Canandaigua Residential Community, Planned Unit Development (the "Project"); and

WHEREAS, by Resolution 2014-081, the City Council took a hard look at all environmental areas of concern with respect to the Project and filed a State Environmental Quality Review Negative Declaration with respect to the Project; and

WHEREAS, by Resolution 2014-092, the City Council approved the sketch plan for the Project; and

WHEREAS, the City Council received the preliminary site plan application relative to the Cottages at Canandaigua project on February 20, 2015 and made the required referrals to the reviewing agencies through Resolution #2015-021; and

WHEREAS, the Ontario County Planning Board and the City of Canandaigua Planning Commission have reviewed the preliminary application and submitted comments; and

WHEREAS, on March 19, 2015, based on comments received from the City Planning Commission, the County Planning Board, City Staff, and City Council, the Applicant submitted drawings, renderings, and other documents with proposed changes to the Preliminary Site Plan, which were fully reviewed by the Planned Unit Development Committee; and

WHEREAS, pursuant to Section 850-125(C)(3) of the Code, the City Council is required to submit a written statement to the Applicant stating whether or not the application for a preliminary site plan approval is conditionally approved within ninety (90) days of the receipt of said application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the preliminary site plan application submitted for the Cottages at Canandaigua Planned Unit Development is approved subject to the following conditions:

Landscaping:

Final, detailed landscaping plans shall be provided as part of the final site plan review process.

Lighting:

Final, detailed lighting plans shall be provided as part of the final site plan review process and shall be dark-sky compliant.

Signage:

Development Signage shall be developed in accordance with the City of Canandaigua's Zoning Ordinance, prior to construction.

Fees:

All application fees will be assessed in accordance with the City of Canandaigua's Zoning Ordinance.

Architecture:

A. Applicant shall present all proposed final construction materials, including physical samples of said materials where possible, for City Council's evaluation and approval as part of the Final Site Plan review process.

B. Applicant shall present, in advance of any final approval, all architectural renderings and photo-simulations to be reviewed and approved by City Council.

NOW, THEREFORE, BE IT RESOLVED by the Canandaigua City Council that pursuant to Section 850-125(C)(3) of the City Code this Resolution shall satisfy the requirement for a written

statement and the City Council conditionally approves the amended preliminary site plan as revised and presented by the Applicant on March 19, 2015, a copy of which is on file in the City's Director of Planning Office; and

BE IT FURTHER RESOLVED that upon Applicant's submittal of a Final Detailed Site Plan by March 26, 2015 the Final Detailed Site Plans shall be referred to the Ontario County Planning Board in accordance with Section 850-125(E)

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, and Mayor Polimeni.

NOES: None.

Resolution #2015-029:

Councilmember Ward 1 Cutri read the following Resolution and moved for its adoption. Councilmember-at-Large Bucci seconded the motion.

A RESOLUTION ISSUING A WRITTEN STATEMENT APPROVING THE REVISED PRELIMINARY SITE PLAN FOR THE NORTH SHORE PLANNED UNIT DEVELOPMENT FOR A KFC IN PARKWAY PLAZA

WHEREAS, in April 2008, application was made to the City Council of the City of Canandaigua for sketch plan approval of The Canandaigua Lakefront Redevelopment Project, located along the northern shore of Canandaigua Lake between NYS 5 & US 20 and Lakeshore Drive in the City of Canandaigua, which area includes the property known as "Parkway Plaza", and Planned Unit Development ("PUD") zoning designation under the Planned Unit Development Ordinance of the City of Canandaigua as set forth in Article XII of the Code of the City of Canandaigua (the "PUD Ordinance"); and

WHEREAS, The Canandaigua Lakefront Redevelopment Project was reviewed by both City Council and its PUD Committee, in accordance with the requirements of the State Environmental Quality Review Act ("SEQRA") and the City of Canandaigua Zoning Ordinance; and

WHEREAS, on December 17, 2009 the City Council passed Resolution #2009-181, which determined that The Canandaigua Lakefront Redevelopment Project is appropriate for the area, meets the stated intention and objectives of the of the PUD Ordinance and designated the Project area as a PUD Zone on the City of Canandaigua Map; and

WHEREAS, Resolution #2009-181 also approved The Canandaigua Lakefront Redevelopment Project's sketch plan (termed "Alternative G"), subject to certain stated conditions; and

WHEREAS, on July 1, 2010 City Council adopted a Findings Statement pursuant to SEQRA, which concluded that The Canandaigua Lakefront Redevelopment Project, as depicted by Alternative G, would not result in any significant adverse environmental impacts, and that any identified environmental impacts would be mitigated to the maximum extent practicable; and

WHEREAS, by Resolution #2013-064, the sketch plan was modified but deemed consistent with the original approval; and

WHEREAS, Marathon Engineering on behalf of KFC submitted a preliminary site plan application on January 15, 2015 to develop a pad within Parkway Plaza in this PUD zone district; and

WHEREAS, by Resolution #2015-004 the City Council received the preliminary site plan application relative to the North Shore-Parkway Plaza KFC project and made the required referrals; and

WHEREAS, the Ontario County Planning Board and the City of Canandaigua Planning Commission have reviewed the preliminary application and submitted comments; and

WHEREAS, on March 5, 2015, the City Council conducted a public hearing on the preliminary site plan for the Project; and

WHEREAS, on March 19, 2015, based on comments received from the City Planning Commission, the County Planning Board, City Staff, and City Council, the Applicant submitted drawings, renderings, and other documents with proposed changes to the Preliminary Site Plan, which were fully reviewed by the Planned Unit Development Committee; and

WHEREAS, pursuant to Section 850-125(C)(3) of the Code, the City Council is required to submit a written statement to the Applicant stating whether or not the application for a preliminary site plan approval is conditionally approved within ninety (90) days of the receipt of said application;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the preliminary site plan application submitted for the North Shore-Parkway Plaza KFC project is approved subject to the following conditions:

Landscaping:

Final, detailed landscaping plans shall be provided as part of the final site plan review process. The plans shall also include proposal to screen building systems and dumpsters from street view on all sides.

Lighting:

Final, detailed lighting plans shall be provided as part of the final site plan review process and shall be dark-sky compliant.

Signage:

Commercial Signage shall be developed in accordance with the City of Canandaigua's Zoning Ordinance, prior to construction.

Fees:

All application fees will be assessed in accordance with the City of Canandaigua's Zoning Ordinance.

Architecture:

A. Applicant shall present all proposed final construction materials, including physical samples of said materials where possible, for City Council's evaluation and approval as part of the Final Site Plan review process.

B. Applicant shall present, in advance of any final approval, all architectural renderings and photo-simulations to be reviewed and approved by City Council.

NOW, THEREFORE, BE IT RESOLVED by the Canandaigua City Council that pursuant to Section 850-125(C) (3) of the City Code this Resolution shall satisfy the requirement for a written statement and the City Council conditionally approves the amended preliminary site plan as revised and presented by the Applicant on March 19, 2015, a copy of which is on file in the City's Director of Planning Office;

BE IT FURTHER RESOLVED that upon Applicant's submittal of a Final Detailed Site Plan by March 26, 2015 the Final Detailed Site Plans shall be referred to the Ontario County Planning Board in accordance with Section 850-125(E)

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, and Mayor Polimeni.

NOES: None.

Resolution #2015-030:

Councilmember Ward 2 Boni read the following Resolution and moved for its adoption. Councilmember Ward 1 Cutri seconded the motion.

A RESOLUTION AUTHORIZING A TEMPORARY LAND USE IN THE ROSE PARK P.U.D ZONE TO ALLOW THE USE OF CONSTRUCTION AND SALES TRAILERS

WHEREAS, Resolution #2010-093 granted Final Site Plan approval to the proposed Steamboat Landing Hotel and Conference Center Project (also known as the Finger Lakes Resort) (the "Project"); and

WHEREAS, the Final Site Plans for the Project have since been revised by Resolution #2013-017 and Resolution #2014-103; and

WHEREAS, the Applicant has requested that in addition to the approved use of the property, the Applicant also be allowed to place construction trailers and appropriate signage on the site as well as a Sales trailer.

NOW, THEREFORE, BE IT RESOLVED that the Canandaigua City Council finds that the granting of such a temporary use is consistent with the Project's final site plan approval; and

BE IT FURTHER RESOLVED that the Applicant may temporarily use the Project site for the location of construction trailers and a sales trailer as set forth in the submission to and discussed by the Planned Unit Development Committee on March 19, 2015. Such use may continue until April 1, 2016 unless Applicant fails to maintain the Project area in a clean and safe manner, which shall result in the revocation of this temporary use. Placement of said trailers and applicable signage must otherwise be in

accordance with New York State Laws and the laws of the City of Canandaigua; Applicant shall specifically be allowed at least one directional sign on Lakeshore Drive and a wall sign on the sales trailer; and

BE IT FURTHER RESOLVED that this Resolution shall have no impact on previous authorizing resolutions applicable to this Project.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, and Mayor Polimeni.

NOES: None.

Resolution #2015-031:

Councilmember Ward 3 White read the following Resolution and moved for its adoption. Councilmember Ward 2 Boni seconded the motion.

A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON FINAL SITE PLANS FOR A KFC IN PARKWAY PLAZA IN THE NORTH SHORE PLANNED UNIT DEVELOPMENT AND FOR THE COTTAGES AT CANANDAIGUA PLANNED UNIT DEVELOPMENT.

WHEREAS, Section 850-125 of the City of Canandaigua Municipal Code requires the City Council to hold a public hearing on a final site plan application;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that a public hearing regarding final site plans for a KFC project in the North Shore-Parkway Plaza Planned Unit Development and for the Cottages at Canandaigua Planned Unit Development to be held during the City Council Meeting held at 7:00 p.m. on April 2, 2015 at the City Hall, 2 North Main Street, Canandaigua, New York; and

BE IT FURTHER RESOLVED that the City Clerk shall cause notice to be given and published as required by law.

NOES: None

Vote Result: Carried unanimously by voice vote. (6-0)

Resolution #2015-032:

Councilmember Ward 4 Wade read the following Resolution and moved for its adoption. Councilmember-at-Large Bucci seconded the motion.

A RESOLUTION AUTHORIZING THE RER ENERGY GROUP AND NEW ENERGY EQUITY TO SUBMIT A GRANT APPLICATION TO NYSEDA AND AN INTERCONNECTION APPLICATION TO RG&E

WHEREAS, in 2014 City staff and representatives of RER Energy Group entered into talks

about developing two solar arrays on City property; and

WHEREAS, the proposed project was discussed at the September 9, 2014 Environmental Committee meeting; and

WHEREAS, the proposed site for the project is the former City Transfer Station located at 4620 County Road 46 in the Town of Canandaigua; and

WHEREAS, the Environmental Committee authorized the City Manager to execute a Letter of Intent, expressing the desire of the City to move the project forward, and

WHEREAS, the Letter of Intent was executed on September 11, 2014; and

WHEREAS, at the March 10, 2015 Environmental Committee meeting RER Energy Group and Hunt Engineers recommended that the City authorize them to make application for certain grant funds from NYSERDA to fund a portion of the construction costs of the two solar arrays; and

WHEREAS, it is understood that submission of a grant application in no way obligates the City to proceed with the solar array project; and

WHEREAS, subsequent to the March 10, 2015 Environmental Committee meeting RER Energy Group, Hunt Engineers, and New Energy Equity – the company that will finance the solar array project – requested authority from the City to submit an interconnection application to RG&E;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that RER Energy Group and New Energy Equity are authorized to submit a grant application to NYSERDA; and further that RER Energy Group and New Energy Equity are authorized to submit an interconnection application to RG&E.

Vote Result: Carried unanimously by voice vote. (6-0)

Adjournment

Councilmember Ward 3 White moved to adjourn the regular session at 7:46 PM. Councilmember-at-Large Bucci seconded the motion.

Vote Result: Carried unanimously by voice vote (6-0)

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua