

**ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE MINUTES**  
**TUESDAY, JUNE 20, 2023, 7:00 PM**  
**HURLEY BUILDING, 205 SALTONSTALL STREET**  
**VIRTUALLY: <https://us06web.zoom.us/j/84936309067>**  
**LIVE STREAM: <https://fingerlakestv.org/live/>**

**Environmental Committee:** Karen White, Chair  
Sim Covington, Jr.  
Erich Dittmar  
Renée Sutton

**Other Councilmembers Present:** Thomas Lyon  
Ellen Polimeni  
Steve Uebbing  
Dan Unrath  
Mayor Palumbo

**City Staff Present:** John Goodwin, City Manager  
Shawna Bonshak, Assistant City Manager  
Nick Wood, Corporation Counsel

Chair White opened the meeting and read the Core Values. She reviewed the first agenda item. The owners of the Canandaigua Lady presented a two phased dock modification request at May 2nd Planning and Finance Committee meeting. Phase 1 would add a slip on the east side of the dock to allow for a 10-person excursion boat. At the meeting, Council encouraged Mr. Brennan to explore an electric boat and to also look into “educational” elements/programming during small boat excursions. As this is an amendment to the easement for the dock, City Council approval is necessary. John Brennan, Captain of the Canandaigua Lady, was invited to speak. Mr. Goodwin noted that he is unable to attend. Mr. Goodwin said that after his presentation to the Planning Committee, they have been looking into the electric boat, as requested and ways to make it for more educational tours for local non-profits and such. He said it is up to Council and the committee to determine his request to add that morning to the Canandaigua Lady dock. Chair White said that she thought there was going to be plans to review and that is in favor of proceeding to allow for the easement. She understands that the Lake House has a fleet of boards that can be rented to guests as well as Canandaigua Sailboarding that has boats for the summer camp and other rentals, so she sees this as being fair to the other businesses as something to consider. Mr. Goodwin asked that if there were to purchase a regular pontoon boat with out an electric motor is council agreeable to that and Chair White said she would like to see this back on the agenda for the next meeting to better understand their plans.

Chair White moved onto the CFA application updates. Assistant City Manager Shawna Bonshak explained that she is in the process of submitting for CFA applications for this round. Last year, the Sonnenberg replacement shelter was submitted but was not approved, so the City is going to try again. Additionally, Ms. Bonshak said the other applications are a Main Street Feasibility Study via NYS Homes/Community Renewal, the ADA Accessible Kayak Launch and the Outlet Structure Study, both via DOS Local Waterfront Revitalization. Each application will require two resolutions from the July Council meeting; a resolution of support and authorization for the City of Canandaigua to apply as well as a resolution declaring a SEQR Type II Action. Councilmember Lyon asked if a public hearing is

needed and it is unlikely but Ms. Bonshak will confirm. The only grant that may require one is the New York State Main Street. Chair White asked about follow up details from past submissions and Mr. Goodwin explained that yes, they did receive feedback on the Sonnenberg application. It did score well, it is just a very competitive grant, so the hopes are for this time around to make the cut. Mr. Goodwin noted other tweaks will be made based on the feedback received and he and Ms. Bonshak will continue to work with Kevin Olvany and his team on submittals.

Chair White, reviewed her requested discussion relative to screening opportunities of the NYSDOT location on Parrish Street/West Lake Drive. She has been approached by someone who noticed the area seems to be more cluttered along Westlake Drive and wondered if a blockade style fence could be installed. Mr. Goodwin who had met with DOT recently did not inquire on this a possibility but will look into this and follow up with the committee when able. Councilmember Dittmar asked if a screen would be set up on both Parrish and West Lake Drive sides. Chair White said that it would be primarily on the West Lake Drive side. Councilmember Unrath thought it was a good project adding something to help block the view is a great idea as he feels it is an eyesore. Mr. Goodwin said that while there is no formal request we can make, we could write a letter and a resolution would not be needed. His concern is asking DOT to spend money, as a matter of priority, he would rather see monies spent on Main Street and 332 to make repairs. Chair White thought maybe a discussion would be mostly concerning the West Lake drive section with our State Representatives could help. Councilmember Polimeni said that they had covered the area in the past, but could be difficult with all the heavy equipment that is coming out of that department. Mr. Goodwin asked for more details on the letter, he would be willing to draft a letter for review.

Chair White reviewed Moorings at the City Pier. The retrofit of the transient/temporary mooring spot for the fire boat has been very well received and notably, makes the mooring process safer and more user friendly. \$7000 is being requested for cleats to be added to the area. Mr. Goodwin discussed the stairwell where the fireboat and transiting docs for the public. They thought it would be nice improvement for the public to use. Chair White disagrees on spending the monies and Parks could use it to add benches. Boaters should not be tying up there and she does not want to have the areas used for long term docking. Councilmember Dittmar agrees and is against this too. Councilmember Sutton said that she is not a boater and would agree with Chair White.

Chair White moved to close the meeting at 7:25 pm.

**Ordinance Committee:**

Erich Dittmar, Chair  
Sim Covington, Jr.  
Renée Sutton  
Karen White

**Other Councilmembers Present:**

Thomas Lyon  
Ellen Polimeni  
Steve Uebbing  
Dan Unrath  
Mayor Palumbo

**City Staff Present:**

John Goodwin, City Manager  
Shawna Bonshak, Assistant City Manager  
Nick Wood, Corporation Counsel

Chair Dittmar opened the meeting and welcomed present. He welcomed a guest, Tom Buldger, who resides at Middle Cheshire Road in the Town of Canandaigua. His is as a Health Education Officer for the Healthy Cities Project of the World Health Organization. He discussed his work in mental health with children and is advocating for the City to adopt a ban on symbols of hate speech, similar to what New York State is looking to do. He would like to see the City draft an ordinance of some sort where this is banned. He would like to see some kind of penalty for any time of legislation that the City could put together may be a deterrent. He thanked the committee for allowing him to speak. Chair Dittmar said he would like to add this to a future agenda. Councilmember Lyon said that there was a statement on hate and bigotry around 2017 that the City came out with. He is wondering if something can be updated. Councilmember White wondered if school is a public property. Mr. Buldger said that what he would like to see are fines paid for offences be used to pay for a citizen scholarship to a graduating senior at Canandaigua Academy. Councilmember Uebbing said the School as well as schools across the State, code of conduct prohibits hate language and symbols. The Mayor agrees to review the legalities for a future meeting. Chair Dittmar said he would look into this more for a future meeting.

Chair Dittmar moved to Short Term Rentals, this is a continuing discussion from the May 4<sup>th</sup> Council meeting where, the City Council enacted a six (6) month moratorium on short rental approvals. Recommendations and draft proposed changes have been presented to the Council. Reviewing the draft ordinance, he agrees with everything that has been updated, except limiting the time frame of the rental to 30 days. He would like to see 90 days as the maximum time for the rental. Councilmember White agrees and supports 90 days maximum rental time frame as well and so does Councilmember Covington. Councilmember White said that she feels that the reason Council is reviewing this so closely is to aid both Planning and Zoning's Boards work a little easier and less subjective. She believes the compatibility piece is tough part of the process. Councilmember Uebbing opted to clarify that if he owns a home on any residential street, he can vacate that home for the summer months and it turn it into an AirBNB for every night of the summer, to clear up what Chair Dittmar is proposing with the 90-day maximum rental. Councilmember Uebbing said he opinion, is that there is a real potential the change the characteristics of a residential neighborhood which really isn't a semi-business commercial neighborhood. He is in favor of 30-day rental time frame only in R-1 neighborhoods. He would prefer restricted use in residential neighborhoods and will be voting against 90 days. Chair Dittmar said that this is where the revocability would come into play should a property owner vacates their home for three months. Subjectivity would come into focus and their STR would be revoked. Councilmember Polimeni said that she is also opposed to 90 days maximum. She feels it could really change the character of neighborhoods and we pride ourselves on the sense of community Canandaigua fosters. She would rather see it limited. Councilmember Lyon said that he feels a lower timeframe is needed, it will provide the opportunity to change later, should everything be working out. He likes the idea of being to expand the ordinance as needed. Councilmember Uebbing discussed his time in St. Augustine FL where may were short-term rentals. The short-term rentals required a minimum of 7 nights stay; it attracted a certain clientele. He feels that since we are a concert venue town, he has a problem with residential houses where it can become an issue. He would like to see a public hearing once the ordinance is drafted. He doesn't want to see the residential district harmed, he is fine with short term rentals in commercial or business areas. Councilmember Covington believes having a public hearing will be good and hopes the public will come out and talk with full council on this issue. Councilmember Sutton said that the committee agrees to the 90 days and what is reasonable here, night to night, min stay that attacks a long stay, what are the dealbreakers? She understands the need for a limit but wants to understand the full council. Councilmember Uebbing reviewed St. Augustine's short term rental ordinance and feels that if we take so many short-term rentals in residential districts, we lose long term housing. So, balance the needs to the community with long term rentals for the families who need long term rentals. Having no limit is

something he cannot get behind. He heard from residents on Pearl Street and Holiday Lane where residents who object. He feels the way things are being handled now can create real chaos for our residential neighborhoods. Councilmember White motioned to move the ordinance forward as written with the stipulation that it is for a total of 90 days. Councilmember Sutton seconded. Before the vote, Nick Wood said that David Hou had asked for clarification regarding, section four: is the intent that the for properties that have an existing permit that they now, will it will be approved under this statute for three years from the adoption, not statute. It is currently written as three years from the date of approval with the addition of the provisions outlined in. Rick Brown, Director of Planning said it is not clear. He still needs to think it through. Councilmember Uebbing asked Mr. Brown if other municipalities are struggling with this use. They are. Mr. Brown said that the City of Canandaigua are sticker than any, any that he is aware of with Buffalo and Syracuse that he has read through. Councilmember Lyon suggested using through three years from the anniversary date as the date it was approved. Mr. Brown agrees. The Mayor asked section one, if that needs to be changed. Mr., Goodwin said that ideally, you could rent your short term rental for 30 or less days and then you can do that for 90 times calendar days. Councilmember Covington said that he feels that Councilmember Sutton made a good point earlier to outside of the 90 days and feels that a public hearing will be great help to navigate this process. Chair Dittmar called for a vote on the motion, unanimously passed and carried. Councilmember Polimeni advocated bring as much detail out to the public as possible for their understanding. Mr. Goodwin said that putting together a one-page public education piece could be working on and Mr. Brown agrees. They will work together to get something out on the website.

Councilmember Sutton motioned to move into Executive Session to discuss proposed, pending or current litigation, employment history of particular individual and proposed acquisitions, sale or lease of real property. Seconded by Councilmember White, unanimously passed and carried. Meeting adjourned at 8:00 pm.

***Next Meeting: July 18th***