

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION**

August 11, 2020

PRESENT: Chairman Torsten Rhode Commissioner Guy Turchetti
 Vice Chairman Stanley Taylor Commissioner Lindsay Henehan
 Commissioner Jeff Ayers Commissioner Thomas Lyon
 Commissioner Anne Beyer

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

CALL TO ORDER

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.
(The meeting was held remotely via the Zoom online platform.)

APPROVAL OF MINUTES:

Chairman Rhode asked if anyone had any additions or corrections to the July 14, 2020 Regular Meeting Minutes. Vice Chairman Taylor moved to approve the minutes as submitted. Commissioner Lyon seconded the motion, which carried by unanimous voice vote (7-0).

REVIEW OF APPLICATIONS

ITEM 1 **(Public Hearing) Application #20-136A: 64 Green Street, CITY MINI STORAGE, for Site Plan Review necessary to develop a one acre outdoor, commercial storage facility.**

Timothy Stone, the business owner, presented the application. They are looking to develop a little over 1 acre of this 2.3-acre vacant land parcel. The development consists of 62 designated parking spaces for boats, RVs, campers and cars. It will be fully enclosed with an 8-foot high, chain link fence with direct access from City Mini Storage. There will be a locked swing gate for emergency access onto Green Street. There will be some tree clearing leaving a wide buffer on the northern boundary. The area will be gravel with lines and numbered spaces. The balance of 1.3 acres will remain undeveloped at this time. There are to be no permanent structures, other than the fencing. Compliant LED lighting is provided by fixtures mounted to the four adjacent buildings.

Chairman Rhode opened the Public Hearing. No one came forward and there were no comments received prior to the meeting, so the Public Hearing was closed.

Vice Chairman Taylor inquired about the area to be cleared to allow for temporary chipped bark and mulch storage. Mr. Stone described it as a backup plan in case they are not able to remove all of the logs, and branches expeditiously. Chairman Rhode asked for confirmation that the mulch storage would not become a commercial enterprise and would be strictly temporary. Mr. Stone affirmed.

Chairman Rhode stated the importance of dark-sky compliance for the lighting.

Vice Chairman Taylor asked how the proposed 20-foot-wide emergency access drive is to be finished and if it will be plowed. Mr. Stone said it would be gravel and they plan to plow the inside area, but questioned whether the City would begin plowing that portion of the street, once there is active use. Mr. Brown agreed to contact the Department of Public Works to determine the City's responsibility for plowing that area.

Chairman Rhode asked if there were any comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Henehan seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 2 (Public Hearing) Application #20-200: 73 Chapin Street, JOAN EDDINGER, for a Special Use Permit to operate a Short-Term Rental within her residence.

Joan Eddinger presented the application. She is seeking approval to allow for a short-term rental within her residence.

Chairman Rhode reviewed the standards of review for short-term rentals within the City. He then opened the Public Hearing. No one was present.

Natalya Hennings, of 91 Chapin Street submitted an email in opposition of the proposal. She believes there are too many existing rentals on Chapin Street.

Raymond and Sharon Lesio, of 95 Chapin Street, also submitted an email opposing additional rentals in the city.

Chairman Rhode asked if there were any additional comments or questions. No one came forward. The Public Hearing was closed.

Vice Chairman Taylor asked the applicant how often she plans to offer rentals. Ms. Eddinger said she will be offering them at her convenience and on a part-time basis only. She will be staying with relatives during those times that her home is rented out.

Vice Chairman Taylor asked for confirmation that there is a tenant residing on the property. Ms. Eddinger said she has one tenant who resides in the upstairs apartment. She said he is also the caretaker of the property. He has expressed his approval of the intended use.

The subject of parking was discussed. Vice Chairman Taylor observed two parking spaces in the driveway and does not feel this is adequate. Ms. Eddinger clarified that there are actually three spaces in

the driveway. Two vehicles will fit side-by-side. Commissioner Henehan mentioned additional parking needed for the tenant. Chairman Rhode pointed out that Ms. Eddinger and her husband's vehicles will not be there when there are guests. This will allow for a maximum of three vehicles, with two for rental use.

Commissioner Henehan questioned whether the homeowner is required to stay in the home when guests are present. Mr. Brown explained that the homeowner does not need to be present. The owner-occupied requirement for short-term rentals only requires the homeowner to reside on the premises a minimum of 51% of the time.

Chairman Rhode asked about maximum occupancy and sleeping arrangements. Ms. Eddinger clarified that there are two bedrooms, with sleeping accommodations for four guests.

Chairman Rhode asked if there were any comments or questions. Hearing none, he called for a motion.

Commissioner Turchetti moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Lyon seconded the motion, which carried with a vote (6-1).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	NO
Chairman Rhode	Voting	YES

ITEM 3 (Public Hearing) Application #20-204: 104 Fort Hill Avenue, SARAH WHITCOMB, for a Special Use Permit to operate a Short-Term Rental within her residence.

Sarah Whitcomb presented the application. She is seeking approval to use the existing in-law suite in her home as a short-term rental.

Chairman Rhode opened the Public Hearing.

Sharon Boedo of 96 Fort Hill Avenue was present. She had previously submitted an email expressing some concerns that she and her husband have regarding a plan for managing the proposed rental. They noted some safety issues that they feel need to be addressed. They believe their neighborhood, which consists of primarily single-family homes, is not an appropriate vacation destination.

Chairman Rhode asked if there was anyone else from the public wishing to speak. Hearing no one, the Public Hearing was closed.

Chairman Rhode asked if the applicant resides in the home and intends to remain home when guests are present. Ms. Whitcomb answered yes. Commissioner Turchetti questioned how that would work. Ms. Whitcomb explained that the rental space is a separate dwelling unit, with separate front and back entrances.

Parking was discussed. Ms. Whitcomb stated that she has parking for four cars in total. Chairman Rhode asked if she would consider adding a two-vehicle limit to her posted ad. She agreed.

Vice Chairman Taylor believes the property may not be appropriate for this use. He is concerned about safety when backing out of the driveway. Chairman Rhode believes this problem is not unique to rentals.

Commissioner Lyon noted that this property is a two-family home and somewhat unique. There are primarily single-family homes in the neighborhood.

Chairman Rhode inquired how the rental could accommodate six guests. Ms. Whitcomb described sleeping arrangements, including a set of bunk beds and a pull-out couch.

Chairman Rhode asked if there were any comments or questions. Hearing none, he called for a motion.

Commissioner Lyon moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Ayers seconded the motion, which carried with a vote (6-1).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	NO
Chairman Rhode	Voting	YES

ITEM 4 Application #20-209: 50 Grove Drive, JASON MANG, Historic Alteration to replace the roof on the existing structure.

Jason Mang presented the application. The existing roof is slate. It has severely deteriorated and is leaking. He is proposing to replace it using conventional, architectural shingles. Replacement in-kind is extremely costly, and as an investment property, it is not feasible.

Vice Chairman Taylor asked if would be possible to replace the slate in the areas that are leaking. Mr. Mang said that he has had slates replaced on two different occasions, however both were unsuccessful. He has been quoted \$22,000 for repair, with no warranty.

Vice Chairman Taylor asked if the vertical slate that is presently between the dormers could remain slate. Mr. Mang agreed.

Commissioner Henehan asked about the proposed color for the shingles. Mr. Mang said he plans to choose a shingle that has visual qualities similar to slate. Commissioner Lyon would like to see a sample of the shingles prior to approval. Chairman Rhode agreed.

Chairman Rhode asked if there were any comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Table the application to allow the applicant to provide color and material samples.

Vice Chair Taylor seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

MISCELLANEOUS

ITEM 1 Referral from the City Council: Proposed Amendments to the Comprehensive Plan.

The Commission completed their review of the Comprehensive Plan. The discussion included the six focus areas: Downtown, South Main Street, Lakeshore Drive, Eastern Boulevard, North East Quadrant, South East Quadrant and Health Care District.

ADJOURNMENT

Commissioner Henehan moved to adjourn the meeting at 9:13. Commissioner Lyon seconded the motion which carried with a unanimous voice vote (7-0).

Richard Brown
Director of Development & Planning

Torsten Rhode
Planning Commission Chairman