Hopewell Planning Board.

2716 County Rd. 47 – Canandaigua – NY 14424
585-394-0036 ext. #8 – www.townofhopewellny.gov
Minutes – August 24, 2026

Present: Chairman Jim Bator, Ryan Bruzda, Sara Kramer, Sylvia Moore, Nick Sergeant, Allan Wesche, Shawn Cotter, CEO Justin Bruen, Ralph & Sue Burgess, Justin Lattierre

Absent: Duane LaPlant

Chairman Bator called the Planning Board August 24, 2026 meeting to order at 7:00 p.m.

A motion was made by Nick Sergeant and seconded by Sara Kramer for Block Motion allowing staff to set Public Hearing for September 28th @ 7:00 p.m. and refer application to OCPB for review and comments for the following application:
Tuccio – Permit Application #317 – 2442 Route 21 – Zoned Industrial
72.00-1-4.000 – Public Hearing & OCPB Referral for SUP Used Cars Motion carried.

Approval of Minutes:
Allan Wesche moved to approve July 27, 2026 minutes as amended. Motion seconded and carried.

Cont. Business: Wal-mart – application 404 – 4258 Recreation Dr – TM 85.03-1-19.000 - Final Site Plan Approval

Mr. Lattierre provided the Board with updated Site Plans, as requested by the Board at the July meeting. The updated site plan shows four traffic directional signs that will be placed at the on-line pick-up area at the Wal-mart store. He further added that Wal-mart has been decreasing the amount of storage containers located in the north parking lot area. The remaining storage containers will be moved to another location away from the customer pick-up area.

The Board briefly discussed the sign additions to the Plan and moved forward with final Site Plan approval.

TOWN OF HOPEWELL PLANNING BOARD
WAL-MART - 4258 RECREATION DR – C1 zoning
TM# 85.03-1-19.000 – application permit #404

Final Site Plan Approval Resolution

WHEREAS, the Town of Hopewell Planning Board (hereinafter referred to as "Planning Board") is considering minor site improvement to existing retail facility, site plans submitted by Colliers Engineering & Design, and all other relevant information pertaining to the application submitted as of August 24, 2026 (the current application); and

WHEREAS, in compliance with NYS Town Law, the Planning Board held a public hearing on the application at its meeting date of August 24, 2026; and

WHEREAS, the Planning Board determines that said Action is classified as a Type II Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby ❒ **Approves without Conditions**;
[X] **Approves with the following Conditions**; or ❒ **Denies the application for the following reasons:**

1. **Building project to begin no later than Eighteen (18) months from today's date.**

The above resolution was offered by **Allan Wesche** and seconded by **Sara Kramer** at a meeting of the Planning Board held on Monday, August 24, 2026 Following discussion thereon, the following roll call vote was taken and recorded: James Bator - aye Sara Kramer - aye Duane LaPlant – absent
Sylvia Moore – aye Allan M. Wesche - aye Ryan Bruzda - aye Nick Sergeant – aye

I, *Shawn L. Cotter,* Planning Board Clerk, 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 August 24, 2026 meeting.

Shawn L Cotter L. S.
Shawn L. Cotter, Planning Board Secretary

Public Hearing: Public Hearing is to consider application #414 for Ralph Burgess Jr for Subdivision of 1 parcel into 3 parcels. Property is located at 3921-3943 Taylor Rd, in the Town of Hopewell, TOH Subdivision Rules and Regulations. Property is located in AG District. TM 58.00-1-86.200.

There was no one present from the public.

Allan Wesche moved to close the Public Hearing for Ralph Burgess Jr., application 414 subdivision. Motion seconded and carried.

New Business: Ralph Burgess Jr – Application #414 – 3921-3943 Taylor Rd – Subdivision
TM 58.00-1-86.200

1. SEAF Part II & III
2. OCPB Review Comments

The Board reviewed OCPB comments concerning Mr. Burgess' application.

Mr. Burgess stated they are seeking the subdivision in order to divide off the two pre-existing homes and AG land, which are currently on one tax map parcel. He further added, the center parcel (Lot 2) will be sold and be used as AG for now.

Chairman Bator stated the parcel is currently non-conforming, and the proposed subdivision will allow the parcel to become conforming lots.

SEAF Part II & III

A block motion was made by Nick Sergeant for No or Small impact may occur for Permit Application #414, Ralph Burgess Jr. for 3921-3943 Taylor Rd. Motion seconded and carried.

Project	#414 - Burgess, Ralph Jr.
Date:	August 24, 2026

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. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. 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?	☑	☐
6. 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?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

Project: #414-Burgess Jr.
Date: 08/24/2026

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.

☐ 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	**August 24, 2026**
Name of Lead Agency	*Date*
James Bator	**Chairman**
Print or Type Name of Responsible Officer in Lead Agency	*Title of Responsible Offer*
James Bator	
Signature of Responsible Officer in Lead Agency	*Signature of Preparer (If different from Responsible Officer*

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HOPEWELL PLANNING BOARD
RALPH BURGESS JR.
3-LOT SUBDIVISION
3921-3943 TAYLOR RD – AG ZONING
TM# 58.00-1-86.200 – APPLICATION 414

SEQR DETERMINATION ON NON-SIGNIFICANCE

WHEREAS, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Preliminary/Final Subdivision Approval to subdivide 8.215 -Acre parcel to center road line into three lots: **Lot 1** – 1.010-acres to center road line, **Lot 2** – 6.123-acres to center road line and, **Lot 3** – 1.082-acres to center road line, as shown on subdivision plans prepared by Marks Engineering, and all other relevant information submitted as of August 24, 2026 (the current application); 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 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 completed Part 2 and Part 3 of the Short EAF; 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;

(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 <u>not</u> be an increase in the use of either the quantity or type of energy resulting from the proposed Action;

(vi) there will <u>not</u> be any hazard created to human health;

(vii) there will <u>not</u> 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 <u>not</u> 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 <u>not</u> 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 **Sylvia Moore** and seconded by **Nick Sergeant** at a meeting of the Planning Board held on Monday, August 24, 2026 Following discussion thereon, the following roll call vote was taken and recorded:

Jim Bator - aye Duane LaPlant – absent Ryan Bruzda – aye Sara Kramer – aye
Sylvia Moore – aye Nick Sergeant – aye Allan Wesche - aye

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 August 24, 2026 meeting.

Shawn L Cotter L. S.
Shawn L. Cotter, Planning Board Secretary

HOPEWELL PLANNING BOARD
RALPH BURGESS JR.
3-LOT SUBDIVISION
3921-3943 TAYLOR RD – AG ZONING
TM# 58.00-1-86.200 – APPLICATION 414

PRELIMINARY/FINAL SUBDIVISION APPROVAL

WHEREAS, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Preliminary/Final Subdivision Approval to subdivide 8.215 -Acre parcel to center road line into three lots: **Lot 1** – 1.010-acres to center road line, **Lot 2** – 6.123-acres to center road line and, **Lot 3** – 1.082-acres to center road line, as shown on subdivision plans prepared by Marks Engineering, and all other relevant information submitted as of August 24, 2026 (the current application); and

WHEREAS, in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), the Town of Hopewell Planning Board declared this to be an Unlisted Action and a Determination of Non-Significance was adopted August 24, 2026; and

WHEREAS, in compliance with NYS Town Law, the Planning Board held a public hearing on the application at its meeting date of August 24, 2026; and

WHEREAS, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office, 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. The Subdivision approval with conditions as specified is valid for a period of 60 days from date of Chair's signature on plans.

The above resolution was offered by ***Nick Sergeant*** and seconded by ***Sara Kramer*** at a meeting of the Planning Board held on Monday, August 24, 2026 Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – aye Duane LaPlant - absent Ryan Bruzda – aye Sara Kramer – aye
Sylvia Moore - aye Allan M. Wesche – aye Nick Sergeant - aye

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 August 24, 2026 meeting.

Shawn L Cotter L. S.
Shawn L. Cotter, Planning Board Secretary

TOWN OF HOPEWELL PLANNING BOARD DETERMINATION
WAL-MART
4258 RECREATION DR – C1 ZONING
TM# 85.03-1-19.000 – APPLICATION PERMIT #404
FINAL SITE PLAN APPROVAL

APPLICANT/OWNER NAME (S) **Wal-Mart**

SUBJECT PROPERTY ADDRESS: 4258 Recreation Drive - Canandaigua

PROJECT: Subdivision [X] Final Site Plan Special Use Permit Area Variance

PUBLIC HEARING: Date Opened **July 27, 2026** Date Closed **July 27, 2026**

PLANNING BOARD APPROVAL: [X] Granted Denied Date **August 24, 2026**

VOTING: **6** AYE 0 NAY **1** ABSENT

APPROVALS/CONDITIONS OR MODIFICATIONS:

1. Building project is to begin no later than eighteen (18) months from today's date.

CERTIFIED BY: *Shawn L Cotter* **DATE:** August 24, 2026

HOPEWELL PLANNING BOARD
RALPH BURGESS JR.
3-LOT SUBDIVISION
3921-3943 TAYLOR RD – AG ZONING
TM# 58.00-1-86.200 – APPLICATION 414

APPLICANT/OWNER NAME (S) Ralph Burgess Jr

SUBJECT PROPERTY ADDRESS: 3921-3943 Taylor Rd

PROJECT: [X] Subdivision [ ] Final Site Plan [ ] Special Use Permit [ ] Area Variance

PUBLIC HEARING: Date Opened **August 24, 2026** Date Closed **August 24, 2026**

PLANNING BOARD APPROVAL: [X] Granted [ ] Denied Date **August 24, 2026**

VOTING: **6** AYE 0 NAY **1** ABSENT

APPROVALS/CONDITIONS OR MODIFICATIONS:

1. The Subdivision approval with conditions as specified is valid for a period of 60 days from date of Chair's signature on plans.

CERTIFIED BY: Shawn L Cotter **DATE:** August 24, 2026

Discussion: Joe Burke of JBC Properties NY LLC – 3890 Route 5 & 20 – 99.00-2-255.310
(Review and Comments to Town Board for Re-zoning Parcel Request)

An application by JBC Properties NY LLC has been submitted to the Town Board with the request of re-zoning the property from C2 to Industrial. The applicant is requesting the change in order to have a Used Car lot on the premises.

The Town Board has sent the application request to the Planning Board for their review and comments concerning the re-zoning request.

The Planning Board unanimously agreed that the Town Board should deny the request for re-zoning the property located at 3890 Route 5 & 20, TM 99.00-2-55.310 for JBC Properties NY LLC for the following reasons:

1. The proposed change in zoning constitutes spot zoning. Spot zoning is not a preferred method for achieving desirable growth in a community.

2. Proposed use and other uses allowed in Industrial Zoning are incompatible with the aesthetic the Town wishes to achieve on Route 5 & 20. Please see pg. 39 of the Town's Comprehensive Plan.

3. Re-zoning a specific parcel on Route 5 & 20 could set an undesirable precedent and invite surrounding property owners to likewise seek to re-zone.

Discussion: Canandaigua Auto Sales – 2335-2337 Route 21

Allan Wesche brought up a safety concern with the used car dealership located on State Route 21. He stated that the property has placed vehicles in the State right-of-way once again, and is not adhering to the SUP conditions as set by the Planning Board. He further added, the vehicles are blocking line-of-site at the Route 488 and Route 21 intersection.

CEO Bruen stated there is an active complaint. He is currently looking into the matter and getting it resolved as quickly as possible, and further added, if the owner does not rectify the situation the Planning Board can revoke the SUP.

The Planning Board will be kept apprised of the matter.

Adjournment:

Nick Sergeant moved to adjourn, motion seconded.