Town of Chautauqua Zoning Board of Appeals
Waterfront Consistency Recommendation
November 18, 2025

Re: Waterfront Assessment Consistency Recommendation for Sunset View Planned Unit Development (PUD)

Applicant: 1200 Group LLC c/o Ellicott Development Co.

Project Location: 5621 East Lake Rd. [SBL No. 263.15-1-22], 5687 East Lake Road [SBL# 263.10-2-2.1] and 5695 East Lake Road [SBL# 263.10-2-2.2] on the west side of E Lake Road in Chautauqua, New York and 5710 East Lake Road [SBL# 263.00-1-20.1]

Pursuant to §141-4 of the Town of Chautauqua Code, the Zoning Board of Appeals (ZBA) has reviewed the completed Waterfront Assessment Form (WAF) dated October 8, 2025, along with supporting exhibits including the site plan, amended Full Environmental Assessment Form (FEAF) dated May 1, 2025, a stormwater summary letter prepared by Carmina Wood Design dated June 1, 2024, and an updated traffic impact study prepared by Passero Associates. The ZBA convened a meeting on November 18, 2025, to consider the consistency of the proposed action with the Chautauqua Lake Local Waterfront Revitalization Program (LWRP) policy standards and conditions set forth in §141-5 of the Town Code.

The proposed action involves establishing a Planned Unit Development (PUD) on approximately 33.5 acres of waterfront property, including 118 townhome units, 32 lots for single-family homes, 1 mixed-use building including 24 condominium units and an internal clubhouse, boat docks, a pool, walking trails, dog park, open spaces and all related improvements. The Project Site is located within the waterfront area and requires a Special Use Permit and an LWRP consistency determination from the Town Board.

The ZBA determines that the proposed action is consistent with all LWRP policy standards and conditions. The basis for this opinion is provided below for each policy, based on the WAF responses indicating minimal adverse impacts (with most questions answered "No" regarding significant effects on resources), the site's design preserving open space and the documentation submitted by the Applicant during the lengthy review process. No modifications to the project layout are suggested, as the project advances multiple policies through balanced development and the layout has incorporated numerous modifications made during the review process.

1. **Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development (Policy 1).**

   Consistent: The PUD design clusters residential and commercial uses on a portion of the site, preserving approximately 71.5% as open space (25.4 acres)), utilizes existing utilities with minimal expansions, and incorporates waterfront amenities like a seasonal boat dock that will be accessible to the public, and trails to benefit from the lake location without any resulting significant environmental disruption.

2. **Preserve historic resources of the waterfront area of Chautauqua Lake (Policy 2).**

   Consistent: The site contains no known historic resources, as confirmed by the FEAF and the SHPO review dated May 20, 2025 indicating no eligibility for state or national registers.

3. **Enhance visual quality and protect scenic resources in the Chautauqua Lake area (Policy 3).**

Consistent: The project maintains scenic lake views through low-density layout, vegetated buffers, and building designs that blend with the landscape; no significant alterations to shorelines or vistas are proposed.

4. **Minimize loss of life, structures, and natural resources from flooding and erosion (Policy 4).**

Consistent: Portions of the site are in a flood-prone area, but the design elevates structures above base flood levels, incorporates appropriate erosion controls, and avoids construction in high-erosion zones; and implements stormwater management measures per the stringent stormwater quality and quantity standards of the NYSDEC in order to prevent stormwater runoff issues. Construction activities will be subject to appropriate erosion control measures to be set forth in the approved SWPPP.

5. **Protect and improve water resources (Policy 5).**

Consistent: The project will connect to public water and sewer, with stormwater controls (e.g., pervious surfaces, detention areas) to minimize runoff into Chautauqua Lake.

6. **Protect ecological resources around Chautauqua Lake, including important fish habitats, wetlands, and rare ecological communities (Policy 6).**

Consistent: No significant fish/wildlife habitats or wetlands are affected, as per WAF and FEAF; the site avoids disturbance to important aquatic areas, and there is not a rare ecological community present on the Project Site.

7. **Protect and improve air quality in the Chautauqua Lake area (Policy 7).**

Consistent: Construction activities will generate temporary emissions, but operations involve no industrial sources; the project promotes walkability to reduce long-term vehicle emissions.

8. **Minimize environmental degradation in the Chautauqua Lake communities from solid waste and hazardous substances and wastes (Policy 8).**

Consistent: No hazardous materials storage will occur and there will not be waste generation beyond typical residential/commercial levels.

9. **Provide for public access to and recreational use of waterfront, public lands, and public resources of the waterfront area (Policy 9).**

Consistent: The development includes walking trails, a seasonal boat dock, and community amenities including a dog park, enhancing recreational opportunities along the lakefront.

10. **Protect Chautauqua Lake's water-dependent uses and promote siting of new water-dependent uses in suitable locations (Policy 10).**

Consistent: The Project includes a seasonal boat dock that will consists of a maximum of 40 boat slips for seasonal use. The current layout of the seasonal boat dock is depicted on a plan prepared by Carmina Wood Design dated September 16, 2025. The seasonal boat slips will be available to residents, their guests and the public on a first-come basis. The Project will encourage and support facilities and water-dependent recreational uses. The Project Site's waterfront location is appropriate, and the Project does not displace existing water-dependent uses.

11. **Promote the sustainable use of fish resources in Chautauqua Lake (Policy 11).**

Consistent: No impacts to fish habitats or water quality will result from the Project, which will include the installation of a stormwater management system complying with the applicable stringent stormwater quality and quantity standards of the NYSDEC.

12. Protect existing agricultural lands in and adjacent to the Chautauqua Lake waterfront revitalization area (Policy 12).

Consistent: The Project Site does not consist of agricultural land. The Project will not have any adverse impacts in or adjacent to the Chautauqua Lake waterfront revitalization area.

13. Promote appropriate use and development of energy and mineral resources (Policy 13).

Consistent: No energy or mineral extraction is involved; the Project includes energy-efficient buildings per the requirements of the NYS Energy Code, which will confirmed via the building permit application review process.

The ZBA finds no inconsistencies and recommends that the Town Board proceed with a positive Waterfront Consistency Determination.

ZBA Vote on November 18th, 2025, to recommend to the Town Board as follows:

Chairman, Bill Titus – Yay
Board Member, Tye Flurie – Yay
Board Member, Ed Seebald – Yay
Board Member, Roberta Tenpas – Yay