

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ZONING BOARD OF APPEALS

Tuesday March 15, 2016, 6:00 p.m.

MEETING AGENDA

MEETING CALLED BY: Terence Robinson, Chairperson
BOARD MEMBERS: David Emery, Bob Hilliard, Kelly La Voie, Chip Sahler
ALTERNATE MEMBER: N/A
SECRETARY: Cheryl Berry
STAFF MEMBERS: Amanda Catalfamo, Development Office
Douglas Finch, Director of Development
Christian Nadler, Attorney

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS:

- CPN-085-15 John Casey, owner of property at 3796 County Road 16, TM#113.09-2-3.000, is requesting area variances to place an in-ground swimming pool in the RLD zoning district. (*rehearing approved at 12/15/15 ZBA meeting*)
- CPN-114-15 Marathon Engineering, representing Ted Brewer, owner of property at 4727 County Road 16, TM#140.11-1-30.000, is requesting variances to tear-down and rebuild a single-family dwelling in the RLD zoning district. (*Applicant would like to be tabled until April 19, 2016 meeting*)

NEW PUBLIC HEARINGS:

- CPN-006-16 Bayer Landscape Architecture, representing Richard Sands, TM#154.06-1-7.100, owner of property at 4947 County Road 16, is requesting area variances to remove a tennis court and build an in-ground pool and associated accessory structures in the RLD zoning district.
- CPN-008-16 Passero Associates, representing 5251 Parkside Housing Development Fund Co., Inc., owner of property at 5251 Parkside Drive, TM#70.11-1-29.000, are requesting area variances to construct four six-unit apartment buildings and one 24-unit apartment building in the MR zoning district.
- CPN-009-16 Bayer Landscape Architecture, representing Joel Reiser and Nancy Hyman, owners of property at 5265 Menteth Drive, TM#140.11-1-25.000, is requesting area variances to tear-down and rebuild a single family dwelling and detached garage in the RLD zoning district.

CLOSED PUBLIC HEARINGS: *None at this time*

BOARD BUSINESS:

1. Approval of March 1, 2016 Meeting Minutes
2. Review of Next Month's Agenda (April 19, 2016)
3. Requests for Hearing: None at this time

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened: 1/19/2016

Meeting Date: 1/19/2016

Public Hearing Closed: 3/15/2016

Project: 085-15

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
John Casey 3796 County Road 16 Canandaigua, NY 14424	John Casey 3796 County Road 16 Canandaigua, NY 14424	Install in-ground swimming pool, shed in rear yard	3796 County Road 16	113.09-2-3.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

SEQR:

Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to place an in-ground swimming pool and associated deck with a proposed lot coverage of 39.8% when only 25% is permitted? Applicant is requesting an area variance of 14.8% for the lot coverage in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied

See attached resolution(s)

VOTING:

Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

The Zoning Board's decision is based on information received 6/15/15, 10/14/15, 10/22/15, 10/23/15, 11/19/15, 12/17/15, 2/9/16 & 2/25/16 as well as facts presented during the Public Hearings. The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance request is granted. This variance shall be void if construction has not commenced within one year of the date of its issuance. Variance is granted due to the unique medical situation of the applicant being a paraplegic and his specific needs. Applicant submitted a note from his doctor outlining recommendations for exercise to improve his overall health and well-being as a result of his paralysis. Length of the pool is required to be able to accommodate ingress and egress, shallow end is needed to get into the pool, deep end is needed to be vertical and do the exercises, width is necessary to accommodate wheelchair access and provide room for an aide. Applicant has reduced his request to be the minimum necessary to meet his needs. This unique circumstances would not be applicable to any other applicant who is not a paraplegic. Applicant has changed the application in order to specifically accommodate for water runoff to lessen the degree of impermeability and has added a rain garden.

Certified By: _____

Date: _____

Chairperson, Zoning Board of Appeals

Town of Canandaigua

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Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened: 3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape
Architecture LLC

Owner

Richard Sands
207 High Point Drive
Bldg. 100
Victor, NY 14564

Project Type

Construct in-
ground pool
and associated
structures

Project Location

4947 County Road 16

Tax Map #

154.06-1-7.1

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an in-ground pool with a length of 42' when only 40' is allowed? Applicant is requesting a 2' area variance in the RLD zoning district.

SEQR:

Type I Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard
Dave Emery
Kelly LaVoie
Chip Sahler
Terence Robinson

AYE
 AYE
 AYE
 AYE
 AYE

NAY
 NAY
 NAY
 NAY
 NAY

Abstained
 Abstained
 Abstained
 Abstained
 Abstained

REASONS/CONDITIONS:

Certified By: _____
Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape
Architecture LLC

Owner

Richard Sands
207 High Point Drive
Bldg. 100
Victor, NY 14564

Project Type

Construct in-
ground pool
and associated
structures

Project Location

4947 County Road 16

Tax Map #

154.06-1-7.1

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

SEQR:

Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to build an accessory structure to an in-ground pool with a 16.9' height when only 10' is allowed? Applicant is requesting a 6.9' area variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
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Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened:3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape
Architecture LLC

Owner

Richard Sands
207 High Point Drive
Bldg. 100
Victor, NY 14564

Project Type

Construct in-
ground pool
and associated
structures

Project Location

4947 County Road 16

Tax Map #

154.06-1-7.1

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an accessory structure to an in-ground pool with a side setback of 12.25' when 15' is required? Applicant is requesting a 2.75' area variance to the side setback in the RLD zoning district.

SEQR:

Type I Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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REASONS/CONDITIONS:

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Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape
Architecture LLC

Owner

Richard Sands
207 High Point Drive
Bldg. 100
Victor, NY 14564

Project Type

Construct in-
ground pool
and associated
structures

Project Location

4947 County Road 16

Tax Map #

154.06-1-7.1

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an in-ground pool and accessory structures with a total square footage of 1,743' when only 100' is allowed? Applicant is requesting a 1,643 s.f.' area variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
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Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened:3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:3/15/2016

Project: 008-16

Applicant

Passero Associates
242 W. Main Street
Suite 100
Rochester, NY 14614

Owner

5251Parkside Housing
Dev. Fund
421 Lewis Street
Geneva, NY 14456

Project Type

Veterans
Housing
Complex

Project Location

5251 Parkside Drive

Tax Map #

70.11-1-29.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct Building #2 with a side setback of 47.4' when 50' is required? Applicant is requesting a 2.6' variance to the side setback in the MR zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to:
 See attached resolution(s)

VOTING:

Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

The Board's decision is based on information received 2/4/16 & 2/23/16 as well as facts presented during the Public Hearing. The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance request is granted. This variance shall be void if construction has not commenced within one year of the date of its issuance. This is a minimal variance based on an error in a survey allowing construction to be done not according to drawings submitted. Applicant shall go back to Planning Board to get their revised site plan approved to reflect actual construction location.

Certified By: _____
Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened:3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:3/15/2016

Project: 008-16

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Passero Associates 242 W. Main Street Suite 100 Rochester, NY 14614	5251Parkside Housing Dev. Fund 421 Lewis Street Geneva, NY 14456	Veterans Housing Complex	5251 Parkside Drive	70.11-1-29.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct Building #2 with a side setback of 48' when 50' is required?
Applicant is requesting a 2' variance to the side setback in the MR zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to:

See attached resolution(s)

VOTING:

Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

The Board's decision is based on information received 2/4/16 & 2/23/16 as well as facts presented during the Public Hearing. The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance request is granted. This variance shall be void if construction has not commenced within one year of the date of its issuance. This is a minimal variance based on an error in a survey allowing construction to be done not according to drawings submitted. Applicant shall go back to Planning Board to get their revised site plan approved to reflect actual construction location.

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Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape Arch.
19 North Main Street
Honeoye Falls, NY 14472

Owner

Joel Reiser & Nancy
Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Tear Down
and Rebuild

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a single family dwelling with a principal building height of 26.51' when 25' is allowed? Applicant is requesting a 1.51' height variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape Arch.
19 North Main Street
Honeoye Falls, NY 14472

Owner

Joel Reiser & Nancy
Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Tear Down
and Rebuild

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a single family dwelling with a rear setback to the mean high water mark of 40.7' when 60' is required? Applicant is requesting a 19.3' variance to the rear mean high water setback in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened:3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape Arch.
19 North Main Street
Honeoye Falls, NY 14472

Owner

Joel Reiser & Nancy
Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Tear Down
and Rebuild

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a single family dwelling with a rear setback to a stream carrying water more than 6 months of the year of 25' when 100' is required? Applicant is requesting a 75' variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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REASONS/CONDITIONS:

Certified By: _____
Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened:3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape Arch.
19 North Main Street
Honeoye Falls, NY 14472

Owner

Joel Reiser & Nancy
Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Tear Down
and Rebuild

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a garage with a side setback of 5.2' when 12' is required? Applicant is requesting a 6.8' side yard setback variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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REASONS/CONDITIONS:

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Project: 008-16

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Bayer Landscape Arch.
19 North Main Street
Honeoye Falls, NY 14472

Owner

Joel Reiser & Nancy
Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Tear Down
and Rebuild

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a garage with a front setback of 5.2' when 60' is required? Applicant is requesting a 54.8' variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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REASONS/CONDITIONS:

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Chip Sahler, Vice Chairperson, Zoning Board of Appeals

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Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Tear Down
and Rebuild

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a garage with a setback to a stream carrying water more than 6 months of the year of 18.5' when 100' is required? Applicant is requesting an 81.5' variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened: 3/15/2016

Meeting Date: 3/15/2016

Public Hearing Closed:

Project: 008-16

Applicant

Mark Bayer
Bayer Landscape Arch.
19 North Main Street
Honeoye Falls, NY 14472

Owner

Joel Reiser & Nancy
Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Tear Down
and Rebuild

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a garage with a height of 18.64' when 16' is allowed? Applicant is requesting a 2.64' variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
Chip Sahler, Vice Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: March 15, 2016

Public Hearing Closed:

Project: 085-15

Applicant

Marathon Engineering
39 Cascade Drive
Rochester, NY 14614

Owner

Edward & Patricia
Brewer
78 Trevor Court Road
Rochester, NY 14610

Project Type

Tear down
and rebuild
dwelling

Project Location

4727 County Road 16

Tax Map #

140.11-1-30.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a proposed lot coverage of 33% when no more than 25% is allowed? Applicant is requesting an 8% lot coverage variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Application continued until April 19, 2016 at the applicant's request

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: March 15, 2016

Public Hearing Closed:

Project: 085-15

Applicant

Marathon Engineering
39 Cascade Drive
Rochester, NY 14614

Owner

Edward & Patricia
Brewer
78 Trevor Court Road
Rochester, NY 14610

Project Type

Tear down
and rebuild
dwelling

Project Location

4727 County Road 16

Tax Map #

140.11-1-30.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a proposed building coverage of 19% when no more than 15% is allowed? Applicant is requesting a 4% building coverage variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Application continued until April 19, 2016 at the applicant's request

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: March 15, 2016

Public Hearing Closed:

Project: 085-15

Applicant

Marathon Engineering
39 Cascade Drive
Rochester, NY 14614

Owner

Edward & Patricia
Brewer
78 Trevor Court Road
Rochester, NY 14610

Project Type

Tear down
and rebuild
dwelling

Project Location

4727 County Road 16

Tax Map #

140.11-1-30.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a garage height of 19.5' when no more than 16' is allowed? Applicant is requesting a 3.5' height variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Application continued until April 19, 2016 at the applicant's request

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: March 15, 2016

Public Hearing Closed:

Project: 085-15

Applicant

Marathon Engineering
39 Cascade Drive
Rochester, NY 14614

Owner

Edward & Patricia
Brewer
78 Trevor Court Road
Rochester, NY 14610

Project Type

Tear down
and rebuild
dwelling

Project Location

4727 County Road 16

Tax Map #

140.11-1-30.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a front setback to the detached garage of 43' when 60' is required? Applicant is requesting a 17' variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Application continued until April 19, 2016 at the applicant's request

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: March 15, 2016

Public Hearing Closed:

Project: 085-15

Applicant

Marathon Engineering
39 Cascade Drive
Rochester, NY 14614

Owner

Edward & Patricia
Brewer
78 Trevor Court Road
Rochester, NY 14610

Project Type

Tear down
and rebuild
dwelling

Project Location

4727 County Road 16

Tax Map #

140.11-1-30.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with rear setback to the dwelling of 41' when 60' is required? Applicant is requesting a 19' variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Application continued until April 19, 2016 at the applicant's request

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: March 15, 2016

Public Hearing Closed:

Project: 085-15

Applicant

Marathon Engineering
39 Cascade Drive
Rochester, NY 14614

Owner

Edward & Patricia
Brewer
78 Trevor Court Road
Rochester, NY 14610

Project Type

Tear down
and rebuild
dwelling

Project Location

4727 County Road 16

Tax Map #

140.11-1-30.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a principal dwelling height of 29' when only 25' is allowed? Applicant is requesting a 4' height variance in the RLD zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to: April 19, 2016
 See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Application continued until April 19, 2016 at the applicant's request

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:3/1/2016

Meeting Date: March 15, 2016

Public Hearing Closed:

Project: 003-16

Applicant

Kevin & Catherine
McWilliams
3879 Middle Cheshire Road
Canandaigua, NY 14424

Owner

Kevin & Catherine
McWilliams
3879 Middle Cheshire
Road
Canandaigua, NY 14424

Project Type

Remove old
barn and
replace with
new

Project Location

3879 Middle
Cheshire Road

Tax Map #

112.04-1-1.53

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to place an accessory structure (barn) on a lot increasing the square footage of accessory structures on the lot to 8,258 s.f. when no more than 3,000 s.f. is permitted? Applicant is requesting a 5,258 s.f. variance in the R-1-30 zoning district.

SEQR:

Type I Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued

See attached resolution(s)

VOTING:

Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Application withdrawn by applicant

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120 / Fax (585) 394-9476

Canandaigua Zoning Board of Appeals Resolution

SEQR Resolution Determination of Significance – TYPE II Action

FILE # CPN-085-15

APPLICANT: JOHN CASEY, 3796 COUNTY ROAD 16

WHEREAS, The Town of Canandaigua Zoning Board of Appeals, hereinafter referred to as ZBA, has determined the above referenced Action to be a Type II under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations;

NOW, THEREFORE, BE IT RESOLVED that the ZBA in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Chairman Robinson and seconded by Chip Sahler at a regularly scheduled meeting of the ZBA held on Tuesday, March 15, 2016. Following discussion therein, the following roll call vote was taken and recorded:

<u>VOTING:</u>	Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Dave Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

I, Cheryl Berry, Secretary of the ZBA, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the Minutes of the Canandaigua ZBA for the March 15, 2016 meeting.

Cheryl Berry, Secretary of the ZBA

Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120 / Fax (585) 394-9476

Canandaigua Zoning Board of Appeals Resolution

SEQR Resolution Determination of Significance – TYPE II Action

FILE # CPN-008-16

APPLICANT: PASSERO ASSOCIATES, 5251 PARKSIDE
DRIVE

WHEREAS, The Town of Canandaigua Zoning Board of Appeals, hereinafter referred to as ZBA, has determined the above referenced Action to be a Type II under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations;

NOW, THEREFORE, BE IT RESOLVED that the ZBA in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Kelly LaVoie and seconded by Bob Hilliard at a regularly scheduled meeting of the ZBA held on Tuesday, March 15, 2016. Following discussion therein, the following roll call vote was taken and recorded:

<u>VOTING:</u>	Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Dave Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

I, Cheryl Berry, Secretary of the ZBA, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the Minutes of the Canandaigua ZBA for the March 15, 2016 meeting.

Cheryl Berry, Secretary of the ZBA