

# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

## ZONING BOARD OF APPEALS

Tuesday, November 17, 2015, 6:00 p.m.

### MEETING AGENDA

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

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#### PLEDGE OF ALLEGIANCE

#### CONTINUED PUBLIC HEARINGS:

CPN-065-15 James Vanderhoof, owner of property at 3490 Sandy Beach Drive, TM#98.15-1-56.000, is requesting area variances to construct a residential addition and an addition to a detached garage in the RLD zoning district.

#### NEW PUBLIC HEARINGS:

CPN-058-15 RSM West Lake Road LLC, owners of property at 4001 Marella View, TM#113.13-2-1.000, is requesting area variances to resubdivide and construct a single-family dwelling in the RLD zoning district.

CPN-059-15 RSM West Lake Road LLC, owners of property at 4003 Marella View, TM#113.13-2-2.000, is requesting area variances to resubdivide and construct a single-family dwelling in the RLD zoning district.

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 accessory structure and in-ground swimming pool in the RLD zoning district.

CPN-095-15 Fisher Associates, representing Daniel & Konstanze Wegman, owners of property at 4895 County Road 16, TM#140.18-1-10.100, is requesting area variances to place an in-ground swimming pool in the RLD zoning district.

**CLOSED PUBLIC HEARINGS:** *None at this time*

#### BOARD BUSINESS:

1. Approval of October 20, 2015 Meeting Minutes
2. Review of Next Month's Agenda (December 15, 2015)
3. Requests for Rehearing: *None at this time*
4. Training with ZBA Attorney

# 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: 11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2015**

**Project: 065-15**

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	Residential addition & garage addition	3490 Sandy Beach Drive	98.15-1-56.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to expand a pre-existing non-conformity (single family dwelling and attached garage) in the RLD zoning district?

**SEQOR:**

Type I     Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:

See attached resolution(s)

**VOTING:**

David

Bob Hilliard

Emery

Kelly LaVoie

Chip

Sahler

Terence Robinson

AYE

AYE

AYE

AYE

AYE

NAY

NAY

NAY

NAY

NAY

Abstained

Abstained

Abstained

Abstained

Abstained

**REASONS/CONDITIONS:**

The benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received August 14, September 18, October 23, November 6, and November 16 as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant granting this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the proposed garage and addition. Granting this variance would create an undesirable precedent. The variance is substantial when viewed with the entire lot.

Certified By: \_\_\_\_\_

Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

# Town of Canandaigua

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2015**

**Project: 065-15**

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	Residential addition & garage addition	3490 Sandy Beach Drive	98.15-1-56.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a detached garage with 1,071 s.f. when no more than 900 s.f. are permitted? Applicant is requesting a 171 s.f. 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:

See attached resolution(s)

**VOTING:**

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

**REASONS/CONDITIONS:**

The benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received August 14, September 18, October 23, November 6, and November 16 as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant granting this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the proposed garage and addition. Granting this variance would create an undesirable precedent. The variance is substantial when viewed with the entire lot.

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2015**

**Project: 065-15**

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	Residential addition & garage addition	3490 Sandy Beach Drive	98.15-1-56.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a dwelling addition with a right side setback to the dwelling of 8' when 10' are required? Applicant is requesting a 2' right side setback 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:

See attached resolution(s)

**VOTING:**

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

**REASONS/CONDITIONS:**

The benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received August 14, September 18, October 23, November 6, and November 16 as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant granting this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the proposed garage and addition. Granting this variance would create an undesirable precedent. The variance is substantial when viewed with the entire lot.

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2014**

**Project: 065-15**

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	Residential addition & garage addition	3490 Sandy Beach Drive	98.15-1-56.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a detached garage with a right side setback to the garage of 6.1' when 10' is required? Applicant is requesting a 3.9' right side setback to the garage 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:

See attached resolution(s)

**VOTING:**

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

**REASONS/CONDITIONS:**

The benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received August 14, September 18, October 23, November 6, and November 16 as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant granting this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the proposed garage and addition. Granting this variance would create an undesirable precedent. The variance is substantial when viewed with the entire lot.

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**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2015**

**Project: 065-15**

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	Residential addition & garage addition	3490 Sandy Beach Drive	98.15-1-56.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a detached garage and dwelling addition with a lot coverage of 39.6% when no more than 30% is allowed? Applicant is requesting a 9.6% lot coverage 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:

See attached resolution(s)

**VOTING:**

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

**REASONS/CONDITIONS:**

The benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received August 14, September 18, October 23, November 6, and November 16 as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant granting this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the proposed garage and addition. Granting this variance would create an undesirable precedent. The variance is substantial when viewed with the entire lot.

Certified By: \_\_\_\_\_  
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Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2015**

**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

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to place an accessory structure in the rear yard containing 192 s.f. when only 100 s.f. is allowed? Applicant is requesting a 92 s.f. 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:

See attached resolution(s)

**VOTING:**

David

Bob Hilliard

Emery

Kelly LaVoie

Chip

Sahler

Terence Robinson

AYE

AYE

AYE

AYE

AYE

NAY

NAY

NAY

NAY

NAY

Abstained

Abstained

Abstained

Abstained

Abstained

**REASONS/CONDITIONS:**

The benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received June 15, October 14, October 22, and October 23, as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant the granting of this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the pool, patio, and accessory structure. The variance is substantial when viewed with the entire lot.

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2015**

**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

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to place an accessory structure in the rear yard with a building coverage of 16.3% when only 15% is allowed? Applicant is requesting a 1.3% variance to the building coverage 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:

See attached resolution(s)

**VOTING:**

David	Bob Hilliard	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Emery	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Kelly LaVoie	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip	Sahler	<input type="checkbox"/> AYE	<input checked="" 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 benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received June 15, October 14, October 22, and October 23, as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant the granting of this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the pool, patio, and accessory structure. The variance is substantial when viewed with the entire lot.

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed: 11/17/2015**

**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 accessory structure in the rear yard with a lot coverage of 41.5% when only 25% is allowed? Applicant is requesting a 16.5% variance to the lot coverage in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:

See attached resolution(s)

**VOTING:**

David	Bob Hilliard	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Emery	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Kelly LaVoie	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip	Sahler	<input type="checkbox"/> AYE	<input checked="" 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 benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based on information received June 15, October 14, October 22, and October 23, as well as facts presented during the Public Hearing. The applicant did not provide sufficient evidence to warrant the granting of this variance. By denying this variance, it gives the applicant the opportunity to use more flexibility in designing the layout of the pool, patio, and accessory structure. The variance is substantial when viewed with the entire lot.

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened:11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed:**

**Project: 095-15**

**Applicant**

Fisher Associates  
135 Calkins Road Suite A  
Rochester, NY 14623

**Owner**

Daniel & Konstanze  
Wegman  
4895 County Road 16  
Canandaigua, NY 14424

**Project Type**

Install  
swimming  
pool, move  
septic system

**Project Location**

4895 County Road 16

**Tax Map #**

140.18-1-10.100

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an addition (attached garage) to a pre-existing non-conforming dwelling with a front setback of 33' when 60' is required? Applicant is requesting a 27' front setback 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: December 15, 2015

See attached resolution(s)

**VOTING:**

David	Emery	___	AYE	___	NAY	___	Abstained
Chip	Sahler	___	AYE	___	NAY	___	Abstained
Kelly	La Voie	___	AYE	___	NAY	___	Abstained
Bob	Hilliard	___	AYE	___	NAY	___	Abstained
Terence	Robinson (recused)	___	AYE	___	NAY	___	Abstained

**REASONS/CONDITIONS:**

Continued to give the applicant the opportunity to rework the plans to eliminate or lessen the variances

Certified By: \_\_\_\_\_  
Vice-Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

# Town of Canandaigua

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed:**

**Project: 095-15**

**Applicant**

Fisher Associates  
135 Calkins Road Suite A  
Rochester, NY 14623

**Owner**

Daniel & Konstanze  
Wegman  
4895 County Road 16  
Canandaigua, NY 14424

**Project Type**

Install  
swimming  
pool, move  
septic system

**Project Location**

4895 County Road 16

**Tax Map #**

140.18-1-10.100

**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 install an in-ground swimming pool measuring 17' x 75' when swimming pools are not allowed to be larger than 20' x 40'? A 35' variance to the length of the pool is being requested in the RLD zoning district.

**SEQR:**

Unlisted  
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: December 15, 2015  
 See attached resolution(s)

**VOTING:**

David	Emery	___	AYE	___	NAY	___	Abstained
Chip	Sahler	___	AYE	___	NAY	___	Abstained
Kelly	La Voie	___	AYE	___	NAY	___	Abstained
Bob	Hilliard	___	AYE	___	NAY	___	Abstained
Terence	Robinson (recused)	___	AYE	___	NAY	___	Abstained

**REASONS/CONDITIONS:**

Continued to give the applicant the opportunity to rework the plans to eliminate or lessen the variances

Certified By: \_\_\_\_\_  
Vice-Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened:11/17/2015**

**Meeting Date: 11/17/2015**

**Public Hearing Closed:**

**Project: 095-15**

**Applicant**

Fisher Associates  
135 Calkins Road Suite A  
Rochester, NY 14623

**Owner**

Daniel & Konstanze  
Wegman  
4895 County Road 16  
Canandaigua, NY 14424

**Project Type**

Install  
swimming  
pool, move  
septic system

**Project Location**

4895 County Road 16

**Tax Map #**

140.18-1-10.100

**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 install an in-ground swimming pool measuring 17' x 75' with a perimeter of 184' when swimming pools are not allowed to have a perimeter larger than 125'. A 59' variance to the perimeter of the pool is being requested in the RLD zoning district.

**SEQR:**

Unlisted  
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: December 15, 2015

See attached resolution(s)

**VOTING:**

David	Emery	___	AYE	___	NAY	___	Abstained
Chip	Sahler	___	AYE	___	NAY	___	Abstained
Kelly	La Voie	___	AYE	___	NAY	___	Abstained
Bob	Hilliard	___	AYE	___	NAY	___	Abstained
Terence	Robinson (recused)	___	AYE	___	NAY	___	Abstained

**REASONS/CONDITIONS:**

Continued to give the applicant the opportunity to rework the plans to eliminate or lessen the variances

Certified By: \_\_\_\_\_  
Vice-Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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**Meeting Date: 11/17/2015**

**Public Hearing Closed:**

**Project: 095-15**

**Applicant**

Fisher Associates  
135 Calkins Road Suite A  
Rochester, NY 14623

**Owner**

Daniel & Konstanze  
Wegman  
4895 County Road 16  
Canandaigua, NY 14424

**Project Type**

Install  
swimming  
pool, move  
septic system

**Project Location**

4895 County Road 16

**Tax Map #**

140.18-1-10.100

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to install an in-ground swimming pool with a setback to the bed of a stream carrying water more than 6 months of the year of 21' when 100' is required. A 79' area variance is being requested 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: December 15, 2015

See attached resolution(s)

**VOTING:**

David	Emery	___	AYE	___	NAY	___	Abstained
Chip	Sahler	___	AYE	___	NAY	___	Abstained
Kelly	La Voie	___	AYE	___	NAY	___	Abstained
Bob	Hilliard	___	AYE	___	NAY	___	Abstained
Terence	Robinson (recused)	___	AYE	___	NAY	___	Abstained

**REASONS/CONDITIONS:**

Continued to give the applicant the opportunity to rework the plans to eliminate or lessen the variances

Certified By: \_\_\_\_\_  
Vice-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, November 17, 2015, 2015. Following discussion therein, the following roll call vote was taken and recorded:

<b><u>VOTING:</u></b>	David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob	Hilliard	<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 November 17, 2015 meeting.

\_\_\_\_\_  
Cheryl Berry, Secretary of the ZBA

*Town of Canandaigua*  
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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-065-15

APPLICANT: JAMES VANDERHOOF, 3490 SANDY BEACH 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 Chip Sahler and seconded by Kelly LaVoie at a regularly scheduled meeting of the ZBA held on Tuesday, November 17, 2015. Following discussion therein, the following roll call vote was taken and recorded:

<b><u>VOTING:</u></b>	David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob	Hilliard	<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 November 17, 2015 meeting.

\_\_\_\_\_  
Cheryl Berry, Secretary of the ZBA