

# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

**Zoning Board of Appeals**  
**Tuesday, October 17, 2023 6:00 p.m., Revision 2**

## **MEETING AGENDA**

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**MEETING CALLED BY:** Carl Sahler, Chairman

**BOARD MEMBERS:** David Emery, Bob Hilliard, Kelly LaVoie, Shannon Chevier

**ALTERNATE MEMBER:** Jason Outhouse

**SECRETARY:** Karine Hatch

**STAFF MEMBERS:** Michael Warner, Zoning Officer  
Chris Nadler, Town Attorney

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**THIS MEETING WILL BE HELD IN PERSON, AS WELL AS BY ZOOM.**

**JOIN THE ZOOM VIA:**

<https://us02web.zoom.us/j/83081527265?pwd=TGNvTGJBWHZlOW1xc3VhQ0s0ZFUwQT09>

MEETING ID: 830 8152 7265      PASSCODE: 844281

To be admitted to the Zoom meeting, you must identify yourself.  
Either have your Zoom name set appropriately or chat your name to the meeting facilitator.

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**ZOOM MEETING PROCEDURE**

### **CONTINUED PUBLIC HEARINGS:**

**CPN-23-030/CPN-23-031/CPN-23-032/CPN-23-057 Mariely Adames, Vanguard Engineering PC, 133 South Fitzhugh Street, Rochester, NY 14608; representing Douglas Bennett, 31 Delancey Court, Pittsford, NY 14534; owner of property at 4955 Island Beach Drive, Canandaigua, NY 14424. TM#98.09-1- 14.000. CPN-23-032: Requesting Site Plan Approval for firepit seating area, deck extension, new patio, retaining walls, stone steps to beach area. Demolition of existing deck steps and deck also proposed. CPN-23-057, Seven variances requested: 1.) Rear Setback for Firepit: Variance of 12.62', where 15' is required and 2.38' is proposed; 2.) Rear Setback for Patio: Variance of 1.97', where 15' is required and 13.03' is proposed; 3.) Rear Setback for Deck Extension and Staircase: Variance of 1.97', where 15' is required and 13.03' is proposed; 4.) Rear Setback for Stone Steps: Variance of 13.46', where 15' is required and 1.54' is proposed; 5.) Rear Setback for Retaining Wall: Variance of 10.64', where 15' is required and 5.39' is proposed; 6.) Side Setback for Firepit: Variance of 4.61', where 10' is required and 5.39' is proposed; 7.) Lot Coverage: Variance of 3.19%, where 30% is permitted and 33.19% is proposed. Planning Board reviewed this application at the 7/11/23 meeting and will review again on 11/14/23. Continued from 7/18/23 Zoning Board meeting.**

**CPN-23-074 / CPN-23-082 Logan Rockcastle, Marks Engineering, 4303 Route 5&20, Canandaigua, NY 14424; representing Robert Updike, 880 Macintosh Drive, Rochester, NY 14626; owner of property at 3464 Sandy Beach Drive, Canandaigua, NY 14424. TM#98.15-1-21.200. Requesting Site Plan Approval for tear down and rebuild of single-family residence and detached garage. A 5' Side setback variance requested where 10' is required and 5' is proposed. A 7.6' side setback variance is required for a segmental block wall where 10' is required and 2.4' is proposed.**

A front setback variance of 30.3' is required for the proposed garage where 60' is required and 29.7' is proposed. A 43' front setback is required where 55' is required and 12' is proposed. Continued from the 9/19/23 meeting.

### **NEW PUBLIC HEARINGS:**

**CPN-23-059 / CPN-23-098 Rita Kozak, Bergmann, 280 East Broad Street, Rochester, NY 14604; representing John Aikey, 221 Davidson Avenue, Canandaigua, NY 14424; owner of property at 2890 County Road 10, Canandaigua, NY 14424. TM#84.00-1-17.200.** Requesting Site Plan Approval and Special Use Permit for 15+ acre solar farm in Industrial Zone. A north side setback variance of 25 feet as the solar panels are on the 25-foot setback line of the underlying Industrial Zoning District is being requested where 50 feet is required. A South side setback variance of 30 feet for the driveway as the driveway is on the 20 foot setback line of the underlying Industrial Zoning District is being requested where 50 feet is required. A waiver is being requested from the Planning Board on 10/10/23 for the Special Use Permit requirements of the 50 foot buffer required in the town's solar law. If the waiver is not granted, the variances noted here will be required.

**CPN-23-050 / CPN-23-108 Rocco Venezia, Venezia Associates, 5120 Laura Lane, Canandaigua, NY 14424; representing Scott Hill, 4220 County Road 16, Canandaigua, NY 14424; the owner of the property at 4220 County Road 16, Canandaigua, NY 14424. TM#126.12-2-4.000.** The applicant is proposing a 864 square foot garage with an additional 740 square foot driveway in an RLD Steep Slope Protection Area. The applicant is seeking relief from Town Code §220-8 (Steep Slope Protection), a variance for a third accessory structure, and a front setback variance of 40 feet where 60 feet is required and 20 feet is proposed.

**CPN-23-075 Kenneth Rohr owner of property at 4246 County Road 16, Canandaigua, NY 14424. TM#126.12-2-14.000.** The applicant is seeking to install a 8'x25' concrete patio at the rear of the house. A variance is required for accessory structure larger than 100 square feet and is required for the second accessory structure in the RLD.

**CPN-23-076 / CPN-23-104 Khrist Padlick-Field, Geneva Homes, Inc., 954 Waterloo-Geneva Road, Waterloo, NY 13165; representing Rebecca Pool, 3260 State Route 364, Lot 41, Canandaigua, NY 14424; owner of property at 4273 State Route 21 S, Canandaigua, NY 14424. TM#125.00-1-15.000.** The applicant proposes to demolish the old home because of structural issues and install a new single-family home with energy star ratings per NYS HUD regulations. The applicant is proposing to center the home approximately 13 feet from each side property setback. Applicant is requesting a north side setback of 12.2 feet where 12.8 feet is proposed, and 25 feet is required and a south side setback of 12.1 feet where 12.9 feet is proposed, and 25 feet is required.

### **EXTENSION REQUEST:**

NONE AT THIS TIME

### **INTERPRETATION REQUEST:**

NONE AT THIS TIME

### **BOARD BUSINESS:**

1. Request for re-hearing:
2. Board Business:
  - Referrals from the Town Board: None
  - Referrals from Town Manager: None
  - Ordinance Committee Referrals: None
  - Other Business as Required
3. Approval of September 19, 2023 Meeting Minutes
4. Adjournment

**UPCOMING AGENDA ITEMS-** See Cloudpermit for all upcoming applications