

# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

**Zoning Board of Appeals**  
**Tuesday, December 19, 2023 6:00 p.m., Revision 1**

## **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-23-078 / CPN-23-089 / CPN-23-090 / CPN-23-091 Logan Rockcastle, Marks Engineering, 4303 Route 5&20, Canandaigua, NY 14424; representing Lydia Evans, 295 Quaker Meeting House, Honeoye Falls, NY 14472; owner of the property at 5290 Kepner Road, Canandaigua, NY 14424. TM#65.00-2-24.110. Requesting Site Plan Approval of a new 30x80' addition to existing commercial structure in Form Base Code Zoning. Variances required for parking lot exceeding 30% of property width, 75% transparency, structure will be 79' from front property line when no more than 30' is required, and structure will be more than 20' from the side street. Continued to December 19, 2023.**

**CPN-23-081 Gregory Novak, 4964 Hillcrest Drive, Canandaigua, NY 14424; representing Novak Living Trust, 4964 Hillcrest Drive, Canandaigua, NY 14424; owner of the property at 4964 Hillcrest Drive, Canandaigua, NY 14424. TM#126.00-1-5.181. Applicant seeks to place a real estate sign such that a 12' setback variance is required as 3' is proposed and 15' is required. Continued to December 19, 2023.**

**CPN-23-083 Michael Schwabl, 4401 Chosen Spot Drive, Canandaigua, NY 14424; representing Tom Crumlish, Notre Dame Retreat House, 5151 Foster Road, Canandaigua, NY 14424; owner of property at 5151 Foster Road, Canandaigua, NY 14424. TM#126.00-1-15.100. Applicant proposes replacement of existing one-sided ground sign with a 5'10" high and 10' wide, 35.83 sq ft sign that requires: a height variance of 1' 10" (5' 10" proposed where 4' is allowed) and a sq ft variance of 27.83 sq ft (35.83 sq ft. proposed where 8 sq ft is allowed. Applicant also proposes another replacement sign that is 5' high and 46" wide and 6.67 sq ft that requires a height variance of 1' (5' proposed and 4' allowed). Continued to December 19, 2023.**

## **NEW PUBLIC HEARINGS:**

**CPN-23-106 Karen and David VanDerEems owner of property at 6245 Goff Road, Canandaigua, NY 14424.** TM#139.00-1-38.000. Proposing a toilet in an accessory structure and is seeking relief from §220-9(B)6 that accessory buildings shall not be used as habitable space.

**CPN-23-102 / CPN-23-120 Adrian Ashdown, 4464 County Road 16, Canandaigua, NY 14424; owner of property at 4464 County Road 16, Canandaigua, NY 14424.** TM#126.20-1-17.400. Proposed installation of 16'x32' in-ground pool with 665 sq ft area of disturbance, 4' tall fence to enclose patio and pool, and 160 sq ft 6' tall shed. Seeking relief from §220-9(W)(2)(a) that does not allow for swimming pools in the front yard.

**CPN-23-099 / CPN-23-105 Brandon Striker, owner of property at 3705 Timberline Drive, Canandaigua, NY 14424.** TM#112.02-4-31.000. Applicant is proposing installation of a pre-built 8'x12' shed 7' from the rear property line (15' is required so 8' variance is being requested).

**CPN-23-110 / CPN-23-121 Michael Bogojevski, 10 Lift Bridge Lane East, Fairport, NY 14425; representing Gregg Firster and Paul Colucci, DiMarco Group, 1950 Brighton-Henrietta Townline Road, Canandaigua, NY 14424.** TM#84.00-1-44.200. Applicant proposes Phase 2 of the Creekview Apartments at Woodland Park development. Proposed 9 apartments buildings with 8 units/building for a total of 71 apartments units. Applicant proposes amendment of the previously approved final site plan for Phase 2 of Creekview Apartments. Revisions: total number of building reduced from 12 to 9; total number of units reduced from 96 to 72; proposed number of parking spaces reduced from 166 to 144. Previous variances granted have expired. Applicant is requesting:

- Proposed Building 15 has a proposed 12.2 ft. setback from roadways, parking and driveways when 15 ft. is required. Applicant is required to obtain a 2.8' area variance.
- Proposed Building 17 has a proposed 10.9 ft. setback from roadways, parking and driveways when 15 ft. is required. Applicant is required to obtain a 4.1' area variance.
- Proposed Building 18 has a proposed 10.9 ft. setback from roadways, parking and driveways when 15 ft. is required. Applicant is required to obtain a 4.1' area variance.
- Proposed Building 19 has a proposed 6.7 ft. setback from roadways, parking and driveways when 15 ft. is required. Applicant is required to obtain a 8.3' area variance.
- Proposed Building 20 has a proposed 7.3 ft. setback from roadways, parking and driveways when 15 ft. is required. Applicant is required to obtain a 7.7' area variance.
- Proposed Building 21 has a proposed 7.4 ft. setback from roadways, parking and driveways when 15 ft. is required. Applicant is required to obtain a 7.6' area variance.

## **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:
  - Referrals from Town Manager: None
  - Ordinance Committee Referrals: None
  - Other Business as Required
3. Approval of November 21, 2023 Meeting Minutes
4. Adjournment

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