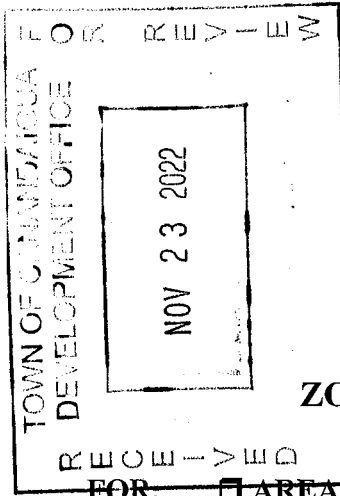


11/23/2022



# Town of Canandaigua

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

CPN #: 2022-095

## ZONING BOARD OF APPEALS APPLICATION

FOR: ☐ AREA VARIANCE ☐ USE VARIANCE ☒ INTERPRETATION

Permission for on-site inspection for those reviewing application: \_\_\_\_\_ Yes \_\_\_\_\_ No

1. Name and address of the property owner: Russ Perrin, 5269  
Wells-Curtick Rd, Canandaigua, NY 14420  
Telephone Number of property owner: \_\_\_\_\_  
Fax # \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

**\*\*If you provide your e-mail address, this will be the primary way we contact you\*\***

2. Name and Address of Applicant *if not the property owner*: ~~See Attached~~  
Marion Cassie  
Telephone Number of Applicant: 585-394-1135  
Fax # \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

**\*\*If you provide your e-mail address, this will be the primary way we contact you\*\***

3. Subject Property Address: 4744 Co. Rd. 16, Canandaigua  
Nearest Road Intersection: Wells-Curtick Rd  
Tax Map Number: 140.00-1-7.100 Zoning District: RR-3

4. Is the subject property within 500' of a State or County Road or Town Boundary? (If yes, the Town may be required to refer your application to the Ontario County Planning Board.)

Please circle one:

YES

NO

5. Is the subject property within 500' of an Agricultural District? (If yes, an Agricultural Data Statement must be completed and submitted with this application – for use variance applications only.)

Please circle one:

YES

NO

(Continued on back)

6. What is your proposed new project and the variance(s) or interpretation requested?

N/A

7. Have the necessary building permit applications been included with this form? If not, please verify with the Development Office which forms are required to be submitted. N/A

8. With your completed application for an Area Variance, attach a tape map/survey/site plan, elevation of the proposed structure, and other documentation necessary describing the requested variance(s) illustrating why it is practically difficult for you to conform to the Zoning Law. N/A

All maps, surveys, or site plans shall accurately depict the property including all existing and proposed structures, setbacks, and dimensions. *All dimensions must be precise.*

9. With your completed application for a Use Variance, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you feel this use variance is necessary, and a completed Environmental Assessment Form. N/A

10. With your completed application for an Interpretation, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you are appealing the zoning law determination, and a copy of the zoning law determination of which said appeal is requested. N/A

11. If the variance requested is related to signs, attach a Sign Detail Sheet, a site plan, and colored renderings of the proposed signage, and any other documentation required in Article IX (Sign Regulations) of the Town of Canandaigua Zoning Law. N/A

*I have examined this application and declare that it is true, correct, and complete. I understand that my application and all supporting documentation will be examined by the Zoning Board of Appeals as an integral component of deliberations.*

*I hereby grant my designee permission to represent me during the application process.*

~~N/A~~   
(Signature of Property Owner)

11/23/2022  
(Date)

SEE ATTACHED

# Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

Phone: (585) 394-1120 / Fax: (585) 394-9476

N/A

***Property Owner is responsible for any consultant fees  
(Town Engineer, Town Attorney, etc.) incurred during the application process.***

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Please note that the **Property Owner** is responsible for all consultant fees during the review of this application including legal, engineering, or other outside consultants. Applications submitted to the Town of Canandaigua Planning Board will normally receive chargeback fees of at least five hours to ten hours for planning services including intake, project review, resolution preparation, SEQ, and findings of fact. PLEASE NOTE that the number of hours will be SIGNIFICANTLY INCREASED due to incomplete applications, plans lacking detail, or repeated continuations. Subdivision applications and larger commercial or industrial projects traditionally require more hours of engineering, legal, and other consultant review and preparation and will incur higher costs. Applications for new construction may be referred to the Town Engineer for engineering review which may include at least an additional eight to twelve hours of review time. The **Property Owner** will also be responsible for legal fees for applications submitted to the Town of Canandaigua Planning Board, Zoning Board of Appeals, or the Town of Canandaigua Development Office. Fees for engineering and legal expenses traditionally range between one hundred and one hundred fifty dollars per hour. A copy of the Town's annual fee schedule is available upon request from the Development Office or the Town Clerk's Office. The **Property Owner's** signature below indicates that the **Property Owner** understands that the **Property Owner** will be responsible for all outside consultant fees incurred as a result of the submitted application, and consents to these charges. Additionally projects approved by the Town of Canandaigua Planning Board may be required to pay a parks and recreation fee as established by the Town Board (currently \$ 1,000 per unit) if required as part of the conditions of approval.

\_\_\_\_\_  
(property owner)

\_\_\_\_\_  
(property owner)

ATTACHMENT TO THE REQUEST FOR  
ZBA INTERPRETATION:

11/23/2022

Dear Zoning Board Of Appeals Members:

For more than a year, several of us have individually expressed to the Town's Zoning Officer our concerns relative to activities at 4744 County Rd. 16. Specifically, our concerns relate to **noise, diesel fumes, possible environmental pollution** and the **unsightly storage, maintenance and comings-and-goings of numerous pieces of heavy equipment** (tractor trailer cab, large flatbed trailer, two dump trucks, tracked vehicles, backhoe, multiple tractors, etc.).

We reasonably expect to peacefully enjoy sharing time with friends and family on beautiful Canandaigua Lake. None of us expect the enjoyment of our properties nor the value of these properties to be impaired by heavy equipment activity. Additionally, it is important to note that this activity is ongoing weekdays and weekends, early morning through late night and with no end in sight. No where else on West Lake Rd can one find such activity.

In view of the above, the residents of the South Menteth Point neighborhood wish to appeal the determination made by the Zoning officer on 10/5/2022 regarding 4744 County Rd. 16. We continue to believe that there are numerous violations of Town Code taking place on the subject property that we have previously enumerated and documented.

Please see the formal complaint with 16 pages of attachments that was submitted to the Town on September 23rd, 2022.

Thank you for hearing our concerns.

Sincerely, The neighbors of South Menteth Point.

Marion Cassie, 4735 Co. Rd. 16 - 4MARION.CASSIE@GMAIL.COM