

## Zoning Inspector

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**From:** Brabant, Lance <Lance.Brabant@mrbgroup.com>  
**Sent:** Friday, February 09, 2018 12:53 PM  
**To:** Chris Jensen; dfinch@townofcanandaigua.org; 'Zoning Inspector'; 'Development Clerk'  
**Subject:** RE: Canandaigua CC - Site Plan Review

Gotchya. Thank you for the heads up.

**Lance Brabant, CPESC**  
Director of Planning Services

**MRB** | group

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**From:** Chris Jensen [mailto:cjensen@townofcanandaigua.org]  
**Sent:** Friday, February 09, 2018 12:50 PM  
**To:** Brabant, Lance <Lance.Brabant@mrbgroup.com>; dfinch@townofcanandaigua.org; 'Zoning Inspector' <zoninginspector@townofcanandaigua.org>; 'Development Clerk' <devclerk@townofcanandaigua.org>  
**Subject:** RE: Canandaigua CC - Site Plan Review

At this time, after our meeting about the feasibility of obtaining a 'Tier 2' designation...  
It is our belief they will applying for a variance to consolidate 4 docks into one.. and sticking with Tier 1.  
No Planning Board approval will be required. Administrative permit.

Doug, do we have their contact info? They should get their zoning variance application in before the end of next week...

-chris

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**From:** Brabant, Lance [mailto:Lance.Brabant@mrbgroup.com]  
**Sent:** Friday, February 09, 2018 12:43 PM  
**To:** dfinch@townofcanandaigua.org; Zoning Inspector; Development Clerk; 'Chris Jensen'  
**Subject:** Canandaigua CC - Site Plan Review

Please see the attached comment's regarding our review of the submitted site plans for the above referenced project.  
Thank you.

**Lance Brabant, CPESC**  
Director of Planning Services

**MRB** | group

The Culver Road Armory  
145 Culver Road, Suite 160  
Rochester, NY 14620  
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## Zoning Inspector

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**From:** Doug Finch <DFinch@townofcanandaigua.org>  
**Sent:** Monday, March 12, 2018 11:35 PM  
**To:** Chris Jensen; Zoning Inspector; Development Clerk  
**Subject:** RE: Canandaigua Country Club - Docks - Town Planning Committee

local law (text code amendment) to spell out the tier  
local law has not yet been drafted  
need Nadler to draft the local law  
at April meeting TB to consider reso to set public hearing for May meeting on local law  
will have to refer local law to county in April

**Doug Finch**, Town Manager  
Town of Canandaigua  
5440 Route 5 & 20  
Canandaigua, NY 14424  
Phone: (585)394-1120 x2234  
LinkedIn: [Doug Finch](#)

-----Original Message-----

**From:** Chris Jensen <cjensen@townofcanandaigua.org>  
**To:** Zoning Inspector <zoninginspector@townofcanandaigua.org>, 'Town Manager' <dfinch@townofcanandaigua.org>, Development Clerk <devclerk@townofcanandaigua.org>  
**Date:** Mon, 12 Mar 2018 16:51:01 -0400  
**Subject:** RE: Canandaigua Country Club - Docks - Town Planning Committee

ASK Doug...

I do not believe it is going anywhere until planning committee meets to discuss and legal has drafted local law for them to discuss.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Zoning Inspector <zoninginspector@townofcanandaigua.org>  
**Date:** 3/12/18 4:27 PM (GMT-05:00)  
**To:** 'Town Manager' <dfinch@townofcanandaigua.org>, 'Chris Jensen' <cjensen@townofcanandaigua.org>, Development Clerk <devclerk@townofcanandaigua.org>  
**Subject:** RE: Canandaigua Country Club - Docks - Town Planning Committee

Linda at the County called me today. She says they removed the Country Club from their agenda. We have to re-refer them at the end of this month.

On a related note, on the Cover Sheet we send them, it notes the Town Board as the referring agency but Site Plan approval as the action. She would like us to be clear on the referral sheet what the specific action is that the Town Board is taking. From what I am reading, the Town Board is adopting a local law as a map amendment or text amendment of some kind? If you wouldn't mind clarifying specifically how this cover sheet should be filled out, that would be greatly appreciated. Thanks.



# Eric A. Cooper

Zoning Inspector  
Town of Canandaigua  
ecooper@townofcanandaigua.org  
585-394-1120 x2254

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**From:** Town Manager <dfinch@townofcanandaigua.org>

**Sent:** Monday, March 05, 2018 10:32 AM

**To:** 'Chris Jensen' <cjensen@townofcanandaigua.org>; 'Al Kraus' <krausengr@earthlink.net>; 'TERRY FENNELLY' <tjfphoenix@yahoo.com>; 'Jim Fletcher' <jfletcher@townofcanandaigua.org>; 'Tom Schwartz' <mschwar4@rochester.rr.com>; 'Doug Finch' <dod@townofcanandaigua.org>

**Cc:** 'Cooper, Eric' <ecooper@townofcanandaigua.org>; 'Sarah Reynolds' <sreynolds@townofcanandaigua.org>; 'Dale Zukaitis' <dzukaitis@townofcanandaigua.org>; 'Samantha Pierce' <spierce@townofcanandaigua.org>; 'Chris Nadler' <cnadler@reevebrownlaw.com>

**Subject:** RE: Canandaigua Country Club - Docks - Town Planning Committee

The Planning Committee has not yet met since we have received this new information. I am sure they will want to discuss this, and then they will want to provide some input as to the Tier status as part of their deliberation.

**Doug Finch**, Town Manager

Town of Canandaigua  
5440 Route 5 & 20 West  
Canandaigua, NY 14424  
P: (585)394-1120 x2234  
F: (585)394-9476

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**From:** Chris Jensen [<mailto:cjensen@townofcanandaigua.org>]

**Sent:** Monday, March 05, 2018 8:49 AM

**To:** 'Town Manager'; 'Al Kraus'; 'TERRY FENNELLY'; 'Jim Fletcher'; 'Tom Schwartz'; 'Doug Finch'

**Cc:** 'Cooper, Eric'; 'Sarah Reynolds'; 'Dale Zukaitis'; 'Samantha Pierce'; 'Chris Nadler'

**Subject:** RE: Canandaigua Country Club - Docks - Town Planning Committee

Attached is copy of the One-Stage Approval Application.

Nadler.. please proceed with drafting the local law. Send me an email if you wish our office to provide initial technical information for your use.

Thanks,  
Chris

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**From:** Town Manager [<mailto:dfinch@townofcanandaigua.org>]

**Sent:** Monday, March 05, 2018 8:29 AM

**To:** 'Chris Jensen'; 'Al Kraus'; 'TERRY FENNELLY'; 'Jim Fletcher'; 'Tom Schwartz'; 'Doug Finch'

**Cc:** 'Cooper, Eric'; 'Sarah Reynolds'; 'Dale Zukaitis'; 'Samantha Pierce'; 'Chris Nadler'

**Subject:** RE: Canandaigua Country Club - Docks - Town Planning Committee

Has the Country Club submitted a signed application agreeing to pay chargeback costs? The application will be needed as the first step.



Before this goes to the Town Board we will need to ask Chris Nadler to draft a local law for us, which will need to go back to the Planning (Public Works) Committee and be referred to all the various boards for input prior to going on a Town Board agenda. Thus resulting in chargeback costs to the applicant.

**Doug Finch**, Town Manager  
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5440 Route 5 & 20 West  
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F: (585)394-9476

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**From:** Chris Jensen [<mailto:cjensen@townofcanandaigua.org>]  
**Sent:** Monday, March 05, 2018 7:57 AM  
**To:** 'Al Kraus'; 'TERRY FENNELLY'; 'Jim Fletcher'; 'Tom Schwartz'; 'Doug Finch'; 'Doug Finch'  
**Cc:** 'Cooper, Eric'; 'Sarah Reynolds'; 'Dale Zukaitis'; 'Samantha Pierce'  
**Subject:** RE: Canandaigua Country Club - Docks - Town Planning Committee

Good Morning,

The Country Club has made the decision to proceed with the request. See attached letter from last week. Also attached is a response from the development office pertaining to placement of the existing seasonal dock.

Please proceed with your recommendation to place the request on the Town Board agenda.  
It will require full public hearing procedure.... notifications.. new law.. etc..

-Chris

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**From:** Al Kraus [<mailto:krausengr@earthlink.net>]  
**Sent:** Sunday, March 04, 2018 11:48 PM  
**To:** TERRY FENNELLY; Jim Fletcher; Tom Schwartz; Chris Jensen; Doug Finch; Doug Finch  
**Subject:** Re: Canandaigua Country Club - Docks - Town Planning Committee

Hello Chris and Doug,

Can you please tell us via e-mail how things turned out regarding your effort to see if the Canandaigua Country Club would be willing to work to move forward with their proposed project under their current Tier 1 designation versus applying for a Tier 2 designation; basically withdrawing their request to be awarded a Tier 2 designation? If they have not agreed to this new course of action then we are obligated to provide a written recommendation to the Town Board in a timely manner (as soon as possible).

Please let us know how things stand at the current time so we can decide how to proceed.

Thank you.

Al

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**From:** TERRY FENNELLY  
**Sent:** Wednesday, January 24, 2018 8:22 AM  
**To:** Jim Fletcher ; Al Kraus ; Tom Schwartz  
**Subject:** Fw: Canandaigua Country Club - Docks - Town Planning Committee

Attached is a letter from Chris Jensen asking us to review a forthcoming application for docking facilities at the Cdga Country Club. This will be an item on our agenda tomorrow at our Planning Committee meeting. Also, I will be forwarding a summary of



outstanding projects that MRB is working on with the Town that we should review. E also need to discuss a more formal meeting schedule.

Thanks, Terry

April 11, 2018

Town of Canandaigua Development Office  
5440 RT 5 and 20 West  
Canandaigua, NY 14424

RE: Application for 2020 sq Ft of Dock at Canandaigua Country Club, 3280 Fallbrook Park  
TAX MAP 98.00-1-39.11

Attn: Chris Jensen

Per our recent discussion, we are amending the original application for the Canandaigua Country Club, dated January 11, 2018 to reflect the consolidation of 5 separate docking systems into one docking system per the Survey Map as prepared by Venezia and Associates on January 4<sup>th</sup> 2018. The single docking system will be 2020 Sq Ft as detailed on the plan.

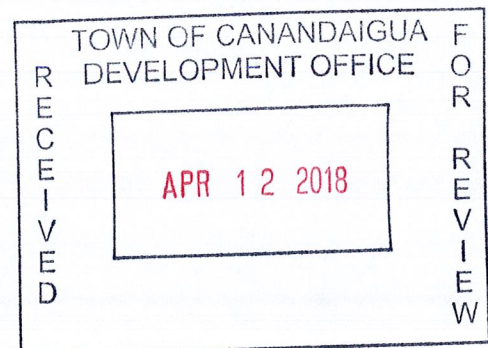
Further, as a result of the April 5, 2018 "Permit Denial - Zoning Law Determination", we are respectfully submitting an appeal to the Zoning Board of Appeals to approve the plan as proposed in the January 11<sup>th</sup> request.

Please let us know if you have any questions or concerns.



Alan Lupton  
Canandaigua Country Club Board of Directors

cc: Bob Sheridan, President CCC Board of Directors





## Zoning Inspector

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**From:** Chris Jensen <cjensen@townofcanandaigua.org>  
**Sent:** Friday, May 11, 2018 2:13 PM  
**To:** trobinson@boylancode.com; kalavoie723@gmail.com; daveemery30@gmail.com; cpsahler@yahoo.com; the44orange@yahoo.com; johncaseyjr@gmail.com  
**Cc:** ecooper@townofcanandaigua.org; 'Chris Nadler'  
**Subject:** Fallbrook Park 3280 - Country Club Dock - Interpretation  
**Attachments:** Fallbrook Park 3280 2018-04-03 Permit Denial ZLD.pdf

Good Afternoon,

I may not be in attendance at the ZBA meeting on 5/15/2018 to discuss the ZBA request for interpretation so please see below for summary of application and associated denial.

- Application for a 195ft. long and 2,020sq.ft. dock was made to the development office.
- Attached is the official permit denial.
- The maximum area of a 2-dock consolidation in Tier 1 is 1,080sq.ft.
- Proposed dock exceeds area by 980sq.ft.
- There is no allotment in the Dock and Mooring code to consolidate more than two docks on a single parcel.
- ZBA does not have the authority to vary the square footage of a dock per navigation Law of the State of New York.. to maintain uniform standards for all Towns around the lake.

Applicant may argue that the proposed dock consolidation of 5 docks into one large dock is permitted. My interpretation is that consolidating 5 docks into one large dock is the same as permitting an area variance. And the code does not permit area variances.

The docks and mooring code contains a legal route to obtain the dock size and configuration that they wish. Application should be made to the Town Board to assign a Tier classification of Tier 2 or Tier 3. Then the applicant would have the legal means to make application to the Planning Board for the size dock that they wish to install.

Sincerely,  
Chris Jensen

Chris Jensen PE CFM MCP  
Code Enforcement / Zoning Officer  
[Town of Canandaigua - Development Office](#)  
5440 Routes 5 & 20 West  
Canandaigua, NY 14424  
(cell) 585-315-3088

# *Town of Canandaigua*

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

*Established 1789*

## **PERMIT DENIAL - ZONING LAW DETERMINATION**

**PROPERTY OWNER:** Canandaigua Country Club Inc.

**PROPERTY ADDRESS:** 3280 Fallbrook Park

**TAX MAP NUMBER:** 98.00-1-39.111

**ZONING DISTRICT:** 'CC' – Community Commercial

**PROJECT DESCRIPTION:** Proposed installation of a 2,020sq.ft., 195ft. long, 10 boat slip dock.

### **REFERENCE:**

- Plan titled 'Dock Layout Plan' prepared for Canandaigua Country Club Inc., by Venezia Land Surveyors and Civil Engineers, dated January 1, 2018.

### **ISSUE:**

- Plan details 506.5 lineal feet of shoreline.
- In the absence of a tier assignment by the Town Board, the default tier classification shall be Tier 1.
- The Primary Purpose of the adjoining zoning district is a commercial operation - Country Club and Associated Restaurant and facilities.
- Only the Town Board has the authority to assign a Tier.
- The Zoning Board of Appeals shall not issue a use variance to change the tier.

### **DETERMINATION:**

- As the parcel defaults to a Tier 1 assignment, the maximum area permitted for a single dock (with a consolidation of two docks into one dock) shall not exceed 1,080sq.ft.
- The proposed dock exceeds the maximum permitted dock area by 980sq.ft.
- To maintain a uniform set of standards for the regulation of docks and moorings as is required by §46-a(4), Navigation Law of the State of New York, the power to grant variances by the Zoning Board of Appeals is limited to variances from facility area lines and outlet setbacks in all tiers and dock configuration requirements in Tier 1.
- Under no circumstances shall the square footage of a dock allocation be varied.

**CODE SECTION:** Chapter §96: Canandaigua Lake Uniform Docking and Mooring  
§46-a(4), Navigation Law of the State of New York

**DATE:** April 3, 2018

**BY:**

  
Christopher Jensen P.E. CFM – Zoning / Code Enforcement Officer

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

cc: Binder  
Property File  
Property Owner  
Town Clerk



## Zoning Inspector

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**From:** Chris Jensen <cjensen@townofcanandaigua.org>  
**Sent:** Tuesday, May 22, 2018 10:36 AM  
**To:** 'Alan Lupton'  
**Cc:** 'Bob Sheridan'; 'Dan Fuller'; ecooper@townofcanandaigua.org; 'Town Manager'; 'Anthony Venezia'  
**Subject:** Fallbrook Park 3280 - CCC Docks

Good Morning,

In order for the Town to begin the process and have the Local Law drafted, we need an official signed request from the Country Club, outlining the intent to obtain a Tier 3 designation. The letter of intent should outline the use and extent of the proposed docking facilities.. so that we may draft the local law to align with your proposed facilities.

Do you need any info from us at this time?

-Chris



## Zoning Inspector

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**From:** Chris Jensen <cjensen@townofcanandaigua.org>  
**Sent:** Monday, June 04, 2018 12:51 PM  
**To:** 'Town Manager'; ecooper@townofcanandaigua.org  
**Cc:** 'Sarah Reynolds'; 'CHRIS NADLER'  
**Subject:** RE: country club docks  
**Attachments:** SKM\_C30818052908320.pdf; SKM\_C30818052908330.pdf; 17116Dock Country Club.pdf

We received the letter of intent.. attached.

They are working towards applying for the subdivision by the June deadline.

I'm going to write up a prelim local law.. for Nadler..to write a formal law  
But we won't hit this Friday's deadline.. so next month it is.

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**From:** Town Manager [mailto:dfinch@townofcanandaigua.org]  
**Sent:** Monday, June 04, 2018 9:28 AM  
**To:** ecooper@townofcanandaigua.org; 'Chris Jensen'  
**Cc:** 'Sarah Reynolds'  
**Subject:** country club docks

Have we received an application from the Country Club for Tier 2 yet?

**Doug Finch**, Town Manager  
Town of Canandaigua  
5440 Route 5 & 20 West  
Canandaigua, NY 14424  
P: (585)394-1120 x2234  
F: (585)394-9476



## Eric Cooper

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**From:** Kevin L. Olvany <klo@canandaiguanewyork.gov>  
**Sent:** Monday, November 18, 2019 1:24 PM  
**To:** dfinch@townofcanandaigua.org  
**Cc:** 'Cathy Menikotz'; Eric Cooper  
**Subject:** RE: Tier assignment

Cathy and Doug

I ran into Eric at Casa Italiana at Lunch and he reminded me of the Country Club application for Tier 3 designation. The CC designation of Tier Two and Tier 3 makes sense to me. Specifically for the Country Club- I think it makes sense to designate the subdivided shoreline parcel as a Tier 3 facility. There will be no added boat traffic, people will have safer access from the lake to the restaurant and the associated bathroom facilities.

Please let me know if you or the board or the public have any questions of me.

Thanks  
Kevin

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**From:** dfinch@townofcanandaigua.org <dfinch@townofcanandaigua.org>  
**Sent:** Thursday, October 31, 2019 10:52 AM  
**To:** Kevin L. Olvany <klo@canandaiguanewyork.gov>  
**Cc:** 'Cathy Menikotz' <cmenikotz@townofcanandaigua.org>  
**Subject:** Tier assignment

Kevin,

Just to make you aware the Country Club is once again requesting a Tier 3 assignment for their facility. As you will recall, this was a pretty heated debate when it come up a couple years ago.

Interestingly enough the Town Clerk has found that the Town Board of the Town of Canandaigua in 2011 by resolution just after passage of the UDML declared Community Commercial as both Tier 2 and Tier 3. Now it was only a resolution, so we need to find out if the current Town Board agrees with this as it was never added to the zoning code, there was no reference to any type of local law, and who knows if they considered the possible outcomes.

However, based on this information it appears the Country Club already has a Tier 3 designation because they recently subdivide their property and now it is just community commercial.

Will keep you posted.

**Doug Finch, Town Manager**

Town of Canandaigua  
5440 Route 5 & 20 West  
Canandaigua, NY 14424  
Phone: (585)394-1120 ext. 2234  
Email: [dfinch@townofcanandaigua.org](mailto:dfinch@townofcanandaigua.org)

*\*\* If you need immediate assistance and are not able to reach me please contact Sarah Reynolds  
([sreynolds@townofcanandaigua.org](mailto:sreynolds@townofcanandaigua.org)) or by phone (585)394-1120 ext. 2232*



**From:** "Kyle Ritts" <Kritts@townofcanandaigua.org>  
**To:** "alupton@luptons.com" <alupton@luptons.com>, "rocco@veneziasurvey.com" <rocco@veneziasurvey.com>  
**Cc:** "Eric Cooper" <ecooper@townofcanandaigua.org>, "Michelle Amon" <devclerk@townofcanandaigua.org>, "Chris Jensen" <cjensen@townofcanandaigua.org>  
**Date:** 11/19/2019 02:42 PM  
**Subject:** Application Materials Needed: Proposed Dock @ CCC

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To whom it may concern,

This is Kyle at the Town Development Office. I took a look at the application materials submitted (for the proposed dock @ CCC) and it looks like we need you to **SUBMIT a new, "New Structure/Addition Building Permit Application"**. We have the old one (from 3/30/2018), but it is a little outdated and the size/number of slips has changed. The application is attached, please fill it out/hand it in as soon as you can.

Thanks!

Kyle Ritts  
Zoning Inspector  
Town of Canandaigua  
(585)-394-1120 x2221  
[kritts@townofcanandaigua.org](mailto:kritts@townofcanandaigua.org)

**Attachments:**

File: <a href="#">New Structure Permit App.pdf</a>	Size: 36k	Content Type: application/pdf
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