

## Eric Cooper

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**From:** Gary Haseley <gjhaseley@gmail.com>  
**Sent:** Monday, May 18, 2020 10:15 AM  
**To:** ecooper@townofcanandaigua.org  
**Cc:** Laura Haseley; Gary Haseley  
**Subject:** Proposed Project at 3312 Fallbrook Park





To: Eric Cooper, Planner Town of Canandaigua

This is Gary and Laura Haseley. We currently own the home at 3310 Fallbrook Park immediately to the north of the proposed project. We wanted to document a few concerns about the proposed new home and site plan for Richard Quehl and Kelli Vestal at 3312 Fallbrook Park.

As you know, the proposed plan exceeds the maximum building coverage allowed under the zoning code by over 40% (35.2% vs. 25%). We are concerned about the impact this will have on us as well as the precedent this would set for Fallbrook Park as additional homes are renovated or torn down. We are currently residing at 3344 Fallbrook which is roughly a 50 foot lot (similar to the proposed project). We understand these narrow lots make for tight living. Allowing such a significant variation at 3312 from the allowable 25% to 35.2% is a significant concern. We are also cognizant of the design sacrifices needed to keep within the coverage ratio requirements as we went through the process for our project at 3310 just recently. We also ask as you consider this variance, that this is considered in the context of Fallbrook Park and not other streets in the area as were included in the application. Fallbrook Park is a unique community and the character of the street deserves to be protected and maintained.

We also voiced concerns to Richard Quehl and Kelli Vestal about how some of the proposed landscaping would affect the lake views from our property. To this point, we did mutually organize a meeting between our landscape architect and their architect and feel there was positive feedback and cooperation. Assuming the proposed changes that came from this meeting are implemented, we feel it would be a positive for both of us and be in the spirit of the the Shoreline Development Guidelines to preserve existing views and utilize selective pruning to maintain the views. We appreciate their willingness to work with us on this matter.

The final issue is the side setback. We acknowledge they have an existing non-conforming condition. We also appreciate the fact that they are moving it off the lot line by 3 feet (not 4 feet as incorrectly stated in their letter to neighbors). However by moving the house to the west and closer to the lake it expands upon this non-conformance in a way that negatively impacts us as more of their house would be within the setback. Please see the attached 2 files which are pictures showing the separation between our homes. The first picture is a view from the road showing the view between our properties. The second is a view from the lake and shows the side setback between our home and 3312, as well as the adjacent homes to us and 3312. We recognize they are proposing to improve the distance between our homes but by expanding the building coverage the positive is potentially offset by the negative impact of this increase.

The case could be made that we bought our property knowing the lot line situation and this is true. However we had no indication that they would attempt to expand upon this condition by building the house further west on our property line towards the lake. We also never anticipated the request to expand the building coverage by 40.8% over the allowed value when we contemplated the purchase or the negotiation of a new boundary line agreement that was required. Based on their current plans requiring a variance, and having the knowledge also that they could move off our lot line by at least 3 feet, this significant variance suggests there is no reasonable explanation to support their need to rebuild in the existing footprint especially considering the condition of the foundation that has driven their decision to tear down the existing property.

With this all said, we want to be good neighbors. We are of the belief that reasonable changes and alternatives can be considered for the proposed new home and site plan at 3312 Fallbrook Park that would reduce the concerns we have outlined in the email.

Specifically, we request that if the Zoning Board of Appeals decides to grant an area variance for building coverage, such a variance should limit the allowed coverage to no more than 30%, rather than the 35.2% in the current application. This would be very much in keeping with the ZBA's precedent and the character of the neighborhood. While the application correctly notes that several homes on Fallbrook Park have received building coverage variances, the ZBA has generally not allowed building coverage as high as 35%. In fact, according to the table of prior variances in the application, the ZBA has only once granted a building coverage variance at or above 35% on Fallbrook Park -- that was almost 25 years ago in 1996, and the home (3394 Fallbrook Park) has since been

demolished. Almost all of the previously granted variances were below 31%. Thus, a limit of 30% would be much more consistent with what the ZBA has allowed in the past on Fallbrook Park.

Feel free to contact us if you would like to further discuss.

Gary and Laura Haseley

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