

# Town of Canandaigua

5440 Routes 5 & 20 West  
Phone (585) 394-1120

Canandaigua, NY 14424  
Fax (585) 394-9476

## Zoning Board of Appeals Decision Notification

**Public Hearing Opened:** October 17, 2017

**Meeting Date:** October 17, 2017

**Public Hearing Closed:** October 17, 2017

**Project:** CPN-064-17

**Applicant**

Venezia Group LLC  
5120 Laura Lane  
Canandaigua NY 14424

**Owner**

Same

**Project**

**Type**  
Subdivision

**Project Location**

0000 LaCrosse  
Circle

**Tax Map #**

97.04-2-92.11

**TYPE OF APPLICATION:**

☒ Area Variance    ☐ Use Variance    ☐ Interpretation  
☐ Rehearing

**Variance/Interpretation Requested:**

Shall the applicant be granted an area variance and allow the open space to remain a portion of a building lot? Applicant is requesting an area variance in the R-1-20/281 zoning district.

**SEQR:**

☐ Type I    ☒ Type II

☐ Unlisted

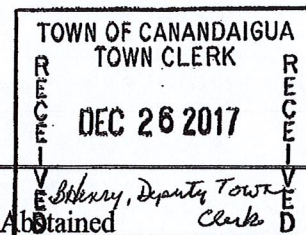
☐ See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

☒ Granted    ☐ Denied    ☐ Continued to:  
☐ See attached resolution(s)



**VOTING:**

John Casey	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained

**REASONS/CONDITIONS:**

Kelly LaVoie gave reasons for granting the variance request as Chairman Robinson voted no. The Board's decision is based on plans and information submitted August 18 and September 15, 2017 as well as facts presented during the Public Hearing. Conservation easement is pre-existing, and by granting the variance to include it in another lot eliminates a hardship to the owner. The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance is granted. The variance will not change the character of the neighborhood. Granting of the variance prevents a potential problem of creating a landlocked parcel. Variance is granted subject to amended subdivision approval as well as access to the conservation easement. This variance shall be void if construction has not commenced within one year of the date of its issuance.

Certified By:

*Terence Robinson*  
Chairman, Zoning Board of Appeals

Date: *October 19, 2017*

*Town of Canandaigua*  
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**Canandaigua Zoning Board of Appeals Resolution**

**SEQR Resolution Determination of Significance – TYPE II Action**

FILE # CPN-064 -17

APPLICANT: VENEZIA GROUP LLC, 0000 LACROSSE  
CIRCLE

WHEREAS, The Town of Canandaigua Zoning Board of Appeals, hereinafter referred to as ZBA, has determined the above referenced Action to be a Type II under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations;

NOW, THEREFORE, BE IT RESOLVED that the ZBA in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Chairman Robinson and seconded by Kelly LaVoie at a regularly scheduled meeting of the ZBA held on Tuesday, October 17, 2017. Following discussion therein, the following roll call vote was taken and recorded:

**VOTING:**

John Casey	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Dave Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

I, Cheryl Berry, Secretary of the ZBA, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the Minutes of the Canandaigua ZBA for the October 17, 2017 meeting.

Cheryl Berry  
Cheryl Berry, Secretary of the ZBA

