

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: 7/16/2013

Meeting Date: 7/16/2013

Public Hearing Closed: 7/16/2013

Project: 046-13

Applicant

Jon Schick
248 East Avenue
Rochester, NY 14604

Owner

Joel Reiser & Nancy
Hyman
6 Windham Circle
Mendon, NY 14506

Project Type

Construct a
single-family
dwelling

Project Location

5265 Menteth Drive

Tax Map #

140.11-1-25.000

TYPE OF APPLICATION:

☒ Area Variance ☐ Use Variance ☐ Interpretation ☐ Rehearing

SEQR:

☐ Type I ☒ Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with a rear setback of 50.3 feet when 60 feet is required? Applicant is requesting a 9.7' area variance in the RLD zoning district.

☐ Unlisted

☐ See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

☒ Granted ☐ Denied ☐ Continued to:

☐ See attached resolution(s)

VOTING:

Terence Robinson

☒ AYE

☐ NAY

☐ Abstained

Rick Szkapi

☒ AYE

☐ NAY

☐ Abstained

Roy Beecher

☒ AYE

☐ NAY

☐ Abstained

Gary Davis

☒ AYE

☐ NAY

☐ Abstained

Graham Smith

☒ AYE

☐ NAY

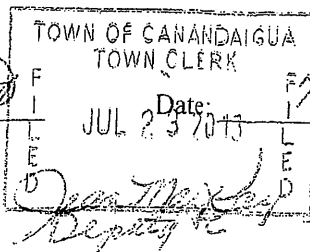
☐ Abstained

REASONS/CONDITIONS:

The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance is granted. The Board's decision is based on information received August 12, 2002, May 17, May 24, June 28, and July 10, 2013. The applicant is maintaining approximately the same footprint as the existing structure on the south and east sides (creek and lakeside). Two variance requests are necessary because of the location of the septic system and the lot configuration. Applicant answered all questions satisfactorily.

Certified By:

Chairperson, Zoning Board of Appeals



17-23-13

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<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Jon Schick 248 East Avenue Rochester, NY 14604	Joel Reiser & Nancy Hyman 6 Windham Circle Mendon, NY 14506	Construct a single-family dwelling	5265 Menteth Drive	140.11-1-25.000

TYPE OF APPLICATION:

☒ Area Variance ☐ Use Variance ☐ Interpretation ☐ Rehearing ☐ Type I ☒ Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with a setback to the bed of a stream carrying water more than 6 months out of the year of 25 feet when 60 feet is required? Applicant is requesting a 35' area variance in the RLD zoning district.

☐ Unlisted
☐ See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

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

VOTING:

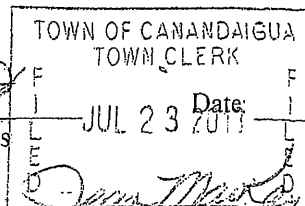
Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Roy Beecher	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Gary Davis	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance is granted. The Board's decision is based on information received August 12, 2002, May 17, May 24, June 28, and July 10, 2013. The applicant is maintaining approximately the same footprint as the existing structure on the south and east sides (creek and lakeside). Two variance requests are necessary because of the location of the septic system and the lot configuration. Applicant answered all questions satisfactorily.

Certified By: *Sharon Smith*

Chairperson, Zoning Board of Appeals



4-23-13

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Canandaigua, NY 14424
(585) 394-1120 / Fax (585) 394-9476

Canandaigua Zoning Board of Appeals Resolution

SEQR Resolution Determination of Significance -- Type II Action

FILE # CPN-046-13

APPLICANT: JON SCHICK REPRESENTING JOEL REISER AND NANCY HYMAN,
5265 MENTETH DRIVE

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 Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and,

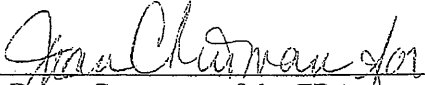
WHEREAS, Type II Actions are not subject to further review under Part 617.

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 Gary Davis and seconded by Terence Robinson at a regularly scheduled meeting of the ZBA held on Tuesday, July 16, 2013. Following discussion therein, the following roll call vote was taken and recorded:

Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Roy Beecher	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Gary Davis	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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 July 16, 2013 meeting.


Cheryl Berry, Secretary of the ZBA