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: 11/19/2013		Meeting Date: 11/19/2013				
Public Hearing Closed: 11/19/2013		Project: 073-13				
Applicant Jon Shick 248 East Avenue Rochester, NY 14604	Owner Joel Reiser & Hyman 6 Windham C Mendon, NY	ircle	Project Type Tear down and rebuild detached garage		Location enteth Drive	Tax Map # 140.11-1-25.000
TYPE OF APPLICATIO	N:				SEQR:	
variance to tear down a	Use Variance a Requested: Shall the shall rebuild an accessory ont setback of 5.2' when ance to the front setback	y building (de n 60' are requ	be granted an area etached garage) w uired? Applicant	a vithin is		Type II ed resolution(s)
					Negative Decla	
APPLICANT REQUEST:					Positive Declar	ration Date:
☑ Granted ☐ De	nied	to:				
☐ See attached resolut	tion(s)				Figa y 1964 Figure 1000 Fig	
Voting:	Terence Robinson Chip Sahler Rick Szkapi Gary Davis Graham Smith	☑ AYE ☑ AYE ☑ AYE ☑ AYE ☑ AYE		NAY NAY NAY NAY NAY	□Abstained □Abstained □Abstained □Abstained	d Allen
REASONS/CONDITION	<u>S:</u>	,				
The benefit to the applicate based on information received the Public Hearing. The The applicant is maintain conditions from Kevin Costornwater management ponly. There will be no conditionally the conditions of	eived August 26, Septemb proposed structure will no ning the existing footprin Divany, Canandaigua Lal plan. As-built drawings a	er 16 and 17, a of encroach and t so there will ke Watershed, re required to	and November 11, y closer to the prop I not be any impact the Canandaigua be submitted to the	12, and 14, perty lines to ct on the normal Town Plane Town. Th	, 2013, as well as than existing strueighborhood. A nning Board, ar	s facts presented during actures on the property. Applicant is to meet all ad MRB regarding the
Chairp	person, Zopling Board of	f Appeals				

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TYPE OF APPLICATIO	<u>V:</u>				SEOR:		
Area Variance	☐ Use Variance	☐ Interpret	ation	earing	Type I	☑ Type II	
Variance/Interpretation					Unlisted		
variance to tear down and rebuild an accessory building (detache the front yard with a left side setback of 5.2' when 10' are requirequesting a 4.8' variance to the left side setback in the RLD zon			required? Applic	equired? Applicant is See Attached resolution			
))]	Negative Decl	aration Date:	
					Positive Declaration Date:		
APPLICANT REQUEST:	•	,					
☐ Granted ☐ Denied ☐ Continued to: ☐ See attached resolution(s) ☐ Management of the continued to:					De la companya della companya della companya de la companya della		
VOTING:	Terence Robinson Chip Sahler Rick Szkapi Gary Davis Graham Smith	☑ AYE ☑ AYE ☑ AYE ☑ AYE ☑ AYE	_ _ _	NAY NAY NAY NAY NAY	□Abstaine □Abstaine □Abstaine □Abstaine □Abstaine	ed ed ed	
REASONS/CONDITIONS	<u> </u>						
The benefit to the applicate based on information receive the Public Hearing. The papplicant is maintain conditions from Kevin Constructions from	ived August 26, Septemb proposed structure will no ing the existing footprin Divany, Canandaigua Lal plan. As-built drawings a	per 16 and 17, of encroach are the so there will ke Watershed are required to be space allowed.	and November 11, ay closer to the pro- il not be any impa, the Canandaigua be submitted to the din the garage.	12, and 14, perty lines to ton the near Town Plane Town. The	2013, as well a han existing structure eighborhood. Anning Board, as	s facts presented during uctures on the property. Applicant is to meet all and MRB regarding the	

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	1110110 (303) 321-1120	Га	X (303) 32T-2T/0			
	Zoning Board of App	peals Decision	Notification			
Public Hearing Opened: 11/19/2013		Meeting Date: 11/19/2013 .				
Public Hearing Closed: 11/19/2013		Project: 073-13				
Applicant Jon Shick 248 East Avenue Rochester, NY 14604	Owner Joel Reiser & Nancy Hyman 6 Windham Circle Mendon, NY 14506		roject Location Tax Map # 265 Menteth Drive 140.11-1-25.000			
TYPE OF APPLICATION:			SEQR:			
🗷 Area Variance	Use Variance Interpret	ation	ng 🗖 Type I 🗷 Type II			
Variance/Interpretation Revariance to tear down and	in Unlisted					
the front yard with a setba	ck to the bed of a stream carryin 18.25' when 100' are required?	g water more than six	Con Association (-)			
1.75' variance in the RLI	O zoning district.		Negative Declaration Date:			
			Positive Declaration Date:			
APPLICANT REQUEST:						
🗷 Granted 🔲 Denied	d Continued to:		1000 (100) (1000 (1000 (1000 (1000 (1000 (1000 (1000 (1000 (1000 (1000 (1000 (100) (1000 (1000 (1000 (1000 (1000 (1000 (100) (1000 (1000 (1000 (100) (1000 (1000 (100) (1000 (1000 (100) (1000 (100) (100) (1000 (100) (1000 (100) (1000 (100) (1000 (100) (1000 (100) (1000 (100) (1000 (100) (1000 (100) (1000 (100) (1000 (100) (1000) (1000 (100) (1000)			
See attached resolution	(s)					
Ch Ri Ga	rence Robinson ip Sahler ck Szkapi ry Davis raham Smith	□ NA □ NA □ NA □ NA	Y			

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 26, September 16 and 17, and November 11, 12, and 14, 2013, as well as facts presented during the Public Hearing. The proposed structure will not encroach any closer to the property lines than existing structures on the property. The applicant is maintaining the existing footprint so there will not be any impact on the neighborhood. Applicant is to meet all conditions from Kevin Olvany, Canandaigua Lake Watershed, the Canandaigua Town Planning Board, and MRB regarding the stormwater management plan. As-built drawings are required to be submitted to the Town. The garage will have electricity and water by. There will be no commercial use or habitable space allowed in the garage.

Certified By: Chairperson, Zoning Board of Appeals

Date: 11 22 13

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

Chairperson, Zoning Board of Appeals

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Zoning Board of Appeals Decision Notification

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Applicant Jon Shick 248 East Avenue Rochester, NY 14604	Owner Joel Reiser & Hyman 6 Windham (Mendon, NY	Circle	Project Type Tear down and rebuild detached garage		Location enteth Drive	<u>Tax Map #</u> 140.11-1-25.000
TYPE OF APPLICATIO	N:				SEQR:	
🗷 Area Variance	Use Variance	☐ Interpret	ation □ Reh	earing	☐ Type I	▼ Type II
<u>Variance/Interpretation Requested:</u> Shall the applicant be granted an area variance to tear down and rebuild an accessory building (detached garage) within					Unlisted	
the front yard when accessory structures are not allowed in front yards? Applicant is requesting a variance in the RLD zoning district.					☐ See Attached resolution(s)	
					Negative Declaration Date:	
					Positive Declaration Date:	
APPLICANT REQUEST	0 9 80					
Granted De	nied 🗖 Continue	d to:				
☐ See attached resolut	tion(s)				O.	
VOTING:	Terence Robinson Chip Sahler Rick Szkapi Gary Davis Graham Smith	☑ AYE ☑ AYE ☑ AYE ☑ AYE ☑ AYE		NAY NAY NAY NAY	☐ Abstaine ☐ Abstaine ☐ Abstaine ☐ Abstaine ☐ Abstaine ☐ Abstaine	d d d
REASONS/CONDITION	<u>S:</u>					
The benefit to the application receives the Public Hearing. The The applicant is maintain conditions from Kevin Constructions from Kevin Constructions. There will be no constructed by the statement of the construction of the c	eived August 26, Septem proposed structure will nation ing the existing footpriply Divany, Canandaigua Laplan. As-built drawings	ber 16 and 17, not encroach ar int so there wil ake Watershed are required to	and November 11, by closer to the proll not be any impa the Canandaiguant to the control to the canandaiguant be submitted to the	, 12, and 1- perty lines act on the a Town Pl	4, 2013, as well a than existing strucing heighborhood. A lanning Board, a	s facts presented during uctures on the property. Applicant is to meet all nd MRB regarding the

Town of Canandaigua

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Canandaigua Zoning Board of Appeals Resolution

SEQR Resolution Determination of Significance - Type II Action

FILE # CPN-073-13	APPLICANT: JOEL REISER & NANCY HYMAN, 5265 MENTETH DRIVE
1 ILE # CFN-0/3-13	APPLICANT. JOEL REISER & NAMEL ITTMAN, 5205 MENTERNES

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.

JOW, 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 Chairperson Smith and seconded by Chip Sahler at a regularly scheduled meeting of the ZBA held on Tuesday, November 19, 2013. Following discussion therein, the following roll call vote was taken and recorded:

Terence Robinson	🗷 AYE	NAY	□Abstained
Rick Szkapi	E AYE	NAY	☐Abstained
Chip Sahler	E AYE	🗖 NAY	□Abstained
Gary Davis	Z AYE	NAY	□ Abstained
Graham Smith	🗷 AYE	□ NAY	☐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 November 19, 2013 meeting.

Cheryl Berry, Secretary of the ZBA

Mason