

3. Will catch basin outlet to existing stormwater retention pond?
4. Consider extending silt fence along southern property line.

**Board Motion:** A motion to retain referrals 102-2020, 105-2020, 105.1-2020, 106-2020, 106.1-2020, 109-2020 and 110-2020 as Class 1s and return them to the local board with comments.

**Motion made by:** David Wink **Seconded by:** Marty Avilla

**Vote:** 9 in favor, 0 opposed, 0 abstentions **Motion not carried.**

105.1 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Venezia Associates	
Property Owner:	J&T Properties	
Tax Map No(s):	70.00-1-52.110	
Brief Description:	Site plan and area variance for a 6,000 SF accessory storage building behind the existing 4,000 SF primary and accessory buildings at 5290 North Street in the Town of Canandaigua. Proposed building has an 8.4' side setback when 25' is required.	

See information at 105-2020.

106 - 2020	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Fredericks, Jeri	
Tax Map No(s):	69.00-1-9.510	
Brief Description:	Site plan and area variance for 2,880 SF garage on 5.9 acre residential lot at 2300 Brickyard Road opposite Center Pointe Townhouses in the Town of Canandaigua. <a href="https://www.co.ontario.ny.us/DocumentCenter/View/24475/106-2020-Aerial">https://www.co.ontario.ny.us/DocumentCenter/View/24475/106-2020-Aerial</a> <a href="https://www.co.ontario.ny.us/DocumentCenter/View/24476/106-2020-Brickyard-Road-2300-2020-06-18-Sketch">https://www.co.ontario.ny.us/DocumentCenter/View/24476/106-2020-Brickyard-Road-2300-2020-06-18-Sketch</a>	

The property was granted a special use permit to operate a Tourist Home providing 3-5 rooms for overnight guests at an owner occupied property in 2008. The proposed garage requires an area variance for 12' south side setback when 20' is required.

**Board Motion:** A motion to retain referrals 102-2020, 105-2020, 105.1-2020, 106-2020, 106.1-2020, 109-2020 and 110-2020 as Class 1s and return them to the local board with comments.

**Motion made by:** David Wink **Seconded by:** Marty Avilla

**Vote:** 9 in favor, 0 opposed, 0 abstentions **Motion not carried.**

106.1 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Fredericks, Jeri	
Tax Map No(s):	69.00-1-9.510	
Brief Description:	Site plan and area variance for 2,880 SF garage on 5.9 acre residential lot at 2300 Brickyard Road opposite Center Pointe Townhouses in the Town of Canandaigua. Project has 12' south side setback when 20' is required.	

See information at 106-2020.

107 - 2020	Town of Canandaigua Planning Board	Class: AR 2
Referral Type:	Site Plan	
Applicant:	Venezia Associates	
Property Owner:	Kieran, Susan	
Brief Description:	Site plan and four area variances for residential use at 4691 Menteth Drive. Proposed house has 15.8' front setback when 60' is required, 33.4' rear setback for new dwelling when 60' is required, and a 20' rear setback for patio when 25' is required. Area variance also required for 18 percent lot coverage when 15 percent is allowed.	

This project was referred for placement on June 13 CPB agenda as referral 82-2020 and subsequently withdrawn. In addition to the site plan approval and 4 area variances, this project also requires a lot line adjustment. The project re-purposes an existing building as a detached garage. The project disturbs more than 500 SF within 2000' of Canandaigua Lake.

**Policy AR 5 Applications involving one single family residential site, including home occupations.  
Part B Development of Lakefront Parcels.**

- B. The following applies to all development on parcels with lake frontage that require;
- variances pertaining to lot coverage or,
  - variances pertaining to side yard setbacks or,
  - variance pertaining to lake shore setbacks

The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County.

The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification: 2**

**Findings:**

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation: Denial**

**Comments**

1. The referring board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Ontario County Soil and Water Conservation district as early in the review process as possible to ensure proper design and implementation of on-site septic system.
3. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
4. There is no proposed mitigation of the stormwater quality and quantity impacts of proposed increase in building and lot coverage. No landscaping is proposed or plan provided to review compliance with the Town of Canandaigua shoreline development regulations.
5. Demolition debris should be recycled if facilities exist and remaining debris should be disposed of in a licensed facility.

107.1 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: AR 2
Referral Type:	Area variance	
Applicant:	Venezia Associates	
Property Owner:	Kieran, Susan	
Brief Description:	Site plan and four area variance for residential use at 4691 Menteth Drive. Proposed house has 15.8' front setback when 60' is required and 33.4' rear setback when 60' is required. Project also has 2 0' rear setback when 25' is required for patio and 18 percent lot coverage when 15 percent is allowed.	

See information at 107-2020.