



April 26, 2016

Planning Board  
Town of Canandaigua  
5440 Routes 5 & 20  
Canandaigua, New York 14424

R E C E I V E D	TOWN OF CANANDAIGUA DEVELOPMENT OFFICE	F O R  R E V I E W
	APR 26 2016	

Ladies and Gentlemen:

We are attorneys for RSM West Lake Road, LLC ("RSM"), and are writing to update you on the status of its plans ("Plans") to re-subdivide its proposed development into 16 lots.

On November 17, 2015, we had written to Zoning Officer Chris Jensen, P.E., and requested a formal Zoning Law Determination finding that the 25-foot setback requirement contained in Town of Canandaigua Code §220-9(A)(1) does not apply to any stairs or boardwalk that are connected to the three docks on proposed Lots 1, 2 and 5. RSM was waiting for the Determination before proceeding further in front of the Planning Board.

On April 8, 2016, Mr. Jensen made a Determination that "[n]o structure shall be built within 25 feet of the mean high-water elevation of Canandaigua Lake," including the stairs and boardwalks that would be utilized to access the lakeshore and docks. RSM has now appealed that Determination to the Zoning Board of Appeals, and in the alternative requested a variance from the restriction, and expects its application to be heard on May 17.

In the meantime, given the delay, which was longer than anticipated, RSM has decided to resume the resubdivision review process by submitting refined Plans, for further review by the Planning Board. We very much appreciate the time and effort the Planning Board has spent on this matter, and expect to be in front of you in the near future.

Thank you.

KNAUF SHAW LLP

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