

Town of Canandaigua

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Canandaigua, NY 14424
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ZONING BOARD OF APPEALS DECISION NOTIFICATION

Public Hearing Opened: October 18, 2022
Public Hearing Closed: October 18, 2022

Meeting Date: October 18, 2022
Project: CPN-22-072

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Liberty Restaurants Development, c/o Brett Steenburgh, P.E., 252-25 Union Turnpike, Bellrose, N.Y. 14426	Widewaters Roseland Center Company LLC, 5845 Widewaters Parkway, East Syracuse, N.Y. 13057	Number of Signs	3225 RTE 364, Canandaigua, NY 14424	98.00-1-46.100

Type of Application

☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

Variance/Interpretation Requested

Applicant is allowed two (2) signs and is proposing three (3) signs; a variance for the number of signs; one (1) additional signs, is required.

Shall the applicant be granted one additional sign?

SEQR

☐ Type I
☒ Type II
☐ Unlisted
☐ See Attached Resolution(s)
Neg Dec Date:
Pos Dec Date:

Applicant Request

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

A. Voting:

John Casey	<input 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
David 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

Chip Sahler (Chair) ☒ AYE ☐ NAY ☐ Abstained

Shannon Chevier (Alternate) ☒ AYE ☐ NAY ☐ Abstained

Reasons

- The benefit to the applicant does outweigh the detriment to the neighborhood and therefore the variance is granted. The decision is based upon the facts presented at the public hearing and the documents dated: 8/31/22, 9/14/22, 10/13/22, 10/14/22.
- Granting the variance will not have a significant adverse effect on the property or neighborhood.
- It will not change the character of the neighborhood.
- The amount of signage is within the square footage requirements.
- The Board felt that the shutters as depicted were not true signage. The Board felt it was decor and not signage.

Conditions

1. The variance granted is specific to the plan presented to the Zoning Board of Appeals dated October 13, 2022. Any change in plans, shall invalidate the variance.
2. The variance is conditioned on the building permit being granted within one (1) year of the date the variance is granted. Failure to do so within one (1) year shall invalidate the variance.

Certified By: *Chip Sahler*

Date: 10/26/22

CANANDAIGUA TOWN CLERK

OCT 26 2022

RECEIVED

Shannon Chevier