

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: October 18, 2016

Meeting Date: October 18, 2016

Public Hearing Closed: October 18, 2016

Project: CPN-066-16

Applicant

Bayer Architecture

Owner

Joy Wegman

Project Type

Inground
Swimming
Pool

Project Location

4417 County Road 16

Tax Map #

126.16-2-3.310

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 construct an in ground swimming pool in the rear yard of a lot adjoining Canandaigua Lake when pools are not allowed in the rear yard of lots adjoining Canandaigua Lake? Applicant is requesting an area variance for pool placement 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:

Bob Hilliard
Dave Emery
Kelly LaVoie
Chip Sahler
John Casey

☒ AYE
☒ AYE
☒ AYE
☒ AYE
☒ AYE

☐ NAY
☐ NAY
☐ NAY
☐ NAY
☐ NAY

☐ Abstained
☐ Abstained
☐ Abstained
☐ Abstained
☐ Abstained

REASONS/CONDITIONS:

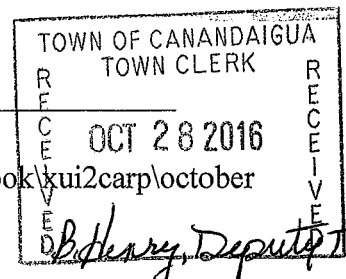
The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance is granted. The Board's decision is based on information received September 16, 20, and 23, 2016 as well as facts presented during the Public Hearing. This variance shall be void if construction has not commenced within one year of the date of its issuance. The property is unique in that it contains over 9 acres. Steep slope on the property prevents placement of pool in location allowed by code. Pool will be shielded from view from the lake by extensive landscaping. Granting of this variance will not change the character of the neighborhood. Extensive measures are being taken to protect the lake from runoff. Variances are granted according to plans submitted to the Zoning Board of Appeals. Any change to the plans shall invalidate the variances. Variances are granted on the condition that the Planning Board grant site plan approval. All requirements as set forth by Jim Fletcher and John Berry shall be met.

Certified By: Chip Sahler

Chip Sahler, Vice Chairman

Date: 10/20/16

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decision sheets.docx



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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 construct an in ground swimming pool 27' wide when only 20' width is allowed? Applicant is requesting a 7' area variance for pool width 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:

Bob Hilliard

☒ AYE

☐ NAY

☐ Abstained

Dave Emery

☒ AYE

☐ NAY

☐ Abstained

Kelly LaVoie

☒ AYE

☐ NAY

☐ Abstained

Chip Sahler

☒ AYE

☐ NAY

☐ Abstained

John Casey

☒ 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 September 16, 20, and 23, 2016 as well as facts presented during the Public Hearing. This variance shall be void if construction has not commenced within one year of the date of its issuance. The property is unique in that it contains over 9 acres. Steep slope on the property prevents placement of pool in location allowed by code. Pool will be shielded from view from the lake by extensive landscaping. The shape of the pool requires a variance for only a portion of it, as it bows out and is 7' at its widest point. The perimeter of the pool is within code. Granting of this variance will not change the character of the neighborhood. Extensive measures are being taken to protect the lake from runoff. Variances are granted according to plans submitted to the Zoning Board of Appeals. Any change to the plans shall invalidate the variances. Variances are granted on the condition that the Planning Board grant site plan approval. All requirements as set forth by Jim Fletcher and John Berry shall be met.

Certified By: _____

Chip Sahler, Vice Chairman

Date: 10/20/16

TOWN OF CANANDAIGUA	
TOWN CLERK	
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OCT 28 2016	
B. Berry, Deputy TC	

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Canandaigua Zoning Board of Appeals Resolution

SEQR Resolution Determination of Significance – TYPE II Action

FILE # CPN-066-16

APPLICANT: BAYER ARCHITECTURE
REPRESENTING JOY WEGMAN, 4417
COUNTY ROAD 16

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

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 Kelly LaVoie and seconded by Bob Hilliard at a regularly scheduled meeting of the ZBA held on Tuesday, October 18, 2016. Following discussion therein, the following roll call vote was taken and recorded:

<u>VOTING:</u>	Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Dave 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	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	John Casey	<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 October 18, 2016 meeting.

Cheryl Berry
Cheryl Berry, Secretary of the ZBA

