

# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

## ZONING BOARD OF APPEALS

Tuesday, January 19, 2016, 6:00 p.m.

### MEETING AGENDA

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**MEETING CALLED BY:** Terence Robinson, Chairperson  
**BOARD MEMBERS:** David Emery, Bob Hilliard, Kelly La Voie, Chip Sahler  
**ALTERNATE MEMBER:** N/A  
**SECRETARY:** Cheryl Berry  
**STAFF MEMBERS:** Amanda Catalfamo, Development Office  
Douglas Finch, Director of Development  
Christian Nadler, Attorney

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#### PLEDGE OF ALLEGIANCE

#### CONTINUED PUBLIC HEARINGS:

- CPN-065-15 James Vanderhoof, owner of property at 3490 Sandy Beach Drive, TM#98.15-1-56.000, is requesting area variances to construct a residential addition in the RLD zoning district. (*rehearing approved at 12/15/15 ZBA meeting*)
- CPN-085-15 John Casey, owner of property at 3796 County Road 16, TM#113.09-2-3.000, is requesting area variances to place an in-ground swimming pool in the RLD zoning district. (*rehearing approved at 12/15/15 ZBA meeting*)
- CPN-102-15 Meagher Engineering, representing Sandy Kolupski, owner of property at 3478 Sandy Beach Drive, TM#98.15-1-60.000, is requesting area variances for a garage addition in the RLD zoning district.

#### NEW PUBLIC HEARINGS:

- CPN-113-15 Scott Norris, owner of property at 5540 Wells Curtice Road, TM#125.00-1-18.110, is requesting an area variance to place solar panels in the AR-2 zoning district.
- CPN-114-15 Marathon Engineering, representing Ted Brewer, owner of property at 4727 County Road 16, TM#140.11-1-30.000, is requesting variances to tear-down and rebuild a single-family dwelling in the RLD zoning district.

**CLOSED PUBLIC HEARINGS:** *None at this time*

#### BOARD BUSINESS:

1. Approval of 2016 Rules of Procedure / Board Calendar
2. Approval of December 15, 2015 Meeting Minutes
3. Review of Next Month's Agenda (February 16, 2016)
4. Requests for Hearing: None at this time

# 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: 1/19/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed: 1/19/2016**

**Project: 065-15**

| <u>Applicant</u>   | <u>Owner</u>   | <u>Project Type</u>                             | <u>Project Location</u>   | <u>Tax Map #</u> |
|--|--|---|---------------------------|------------------|
| James Vanderhoof<br>60 Pinewood Knoll<br>Rochester, NY 14614 | James Vanderhoof<br>60 Pinewood Knoll<br>Rochester, NY 14614 | Residential<br>addition &<br>garage<br>addition | 3490 Sandy Beach<br>Drive | 98.15-1-56.000   |

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to expand a pre-existing non-conformity (single family dwelling) with a right side setback to the dwelling of 8' when 10' is required? Applicant is requesting a 2' variance in the RLD zoning district.

**SEQR:**

Type I     Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:

See attached resolution(s)

**VOTING:**

|                  |   |                              |                                    |
|------------------|---|------------------------------|------------------------------------|
| 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 |
| Terence Robinson | <input checked="" type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> 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 8/14, 9/18, 10/23, 11/6, 11/16 and 12/2 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. Variance is being granted to accommodate a family member with mobility issues. This is the minimum variance possible to accommodate the living quarters on the first floor for that family member. No rights vested in persons acting in good faith and reliance on the grounds of previous denial will be prejudice.

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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**Meeting Date: 1/19/2016**

**Public Hearing Closed: 1/19/2016**

**Project: 065-15**

| <u>Applicant</u>   | <u>Owner</u>   | <u>Project Type</u>                             | <u>Project Location</u>   | <u>Tax Map #</u> |
|--|--|---|---------------------------|------------------|
| James Vanderhoof<br>60 Pinewood Knoll<br>Rochester, NY 14614 | James Vanderhoof<br>60 Pinewood Knoll<br>Rochester, NY 14614 | Residential<br>addition &<br>garage<br>addition | 3490 Sandy Beach<br>Drive | 98.15-1-56.000   |

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to expand a pre-existing non-conformity (single family dwelling) with a lot coverage of 37% when no more than 30% is allowed? Applicant is requesting a 7% variance to the lot coverage in the RLD zoning district.

**SEQR:**

Type I     Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:

See attached resolution(s)

**VOTING:**

|                  |   |                              |                                    |
|------------------|---|------------------------------|------------------------------------|
| 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 |
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| Chip Sahler      | <input checked="" type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input checked="" type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> 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 8/14, 9/18, 10/23, 11/6, 11/16 and 12/2 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. Variance is being granted to accommodate a family member with mobility issues. This is the minimum variance possible to accommodate the living quarters on the first floor for that family member. No rights vested in persons acting in good faith and reliance on the grounds of previous denial will be prejudice.

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 1/19/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed: 1/19/2016**

**Project: 065-15**

| <u>Applicant</u>   | <u>Owner</u>   | <u>Project Type</u>                             | <u>Project Location</u>   | <u>Tax Map #</u> |
|--|--|---|---------------------------|------------------|
| James Vanderhoof<br>60 Pinewood Knoll<br>Rochester, NY 14614 | James Vanderhoof<br>60 Pinewood Knoll<br>Rochester, NY 14614 | Residential<br>addition &<br>garage<br>addition | 3490 Sandy Beach<br>Drive | 98.15-1-56.000   |

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**SEQR:**

Type I     Type II

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to expand a pre-existing non-conformity (single family dwelling)? Applicant is requesting an area variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:

Positive Declaration Date:

See attached resolution(s)

**VOTING:**

|                  |   |                              |                                    |
|------------------|---|------------------------------|------------------------------------|
| 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 |
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| Chip Sahler      | <input checked="" type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
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**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 8/14, 9/18, 10/23, 11/6, 11/16 and 12/2 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. Variance is being granted to accommodate a family member with mobility issues. This is the minimum variance possible to accommodate the living quarters on the first floor for that family member. No rights vested in persons acting in good faith and reliance on the grounds of previous denial will be prejudice.

Certified By: \_\_\_\_\_

Date: \_\_\_\_\_

Chairperson, Zoning Board of Appeals

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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened:1/19/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 085-15**

**Applicant**

John Casey  
3796 County Road 16  
Canandaigua, NY 14424

**Owner**

John Casey  
3796 County Road 16  
Canandaigua, NY 14424

**Project Type**

Install in-  
ground  
swimming  
pool, shed in  
rear yard

**Project Location**

3796 County Road 16

**Tax Map #**

113.09-2-3.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**SEQR:**

Type I     Type II

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to place an in-ground swimming pool and associated deck with a proposed lot coverage of 39.8% when only 25% is permitted? Applicant is requesting an area variance of 14.8% for the lot coverage in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:1/19/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 113-15**

| <b><u>Applicant</u></b>  | <b><u>Owner</u></b>  | <b><u>Project Type</u></b>           | <b><u>Project Location</u></b> | <b><u>Tax Map #</u></b> |
|--|--|--------------------------------------|--------------------------------|-------------------------|
| Scott Norris<br>5540 Wells Curtice Road<br>Canandaigua, NY 14424 | Scott Norris<br>5540 Wells Curtice Road<br>Canandaigua, NY 14424 | Install solar<br>pv in front<br>yard | 5540 Wells Curtice<br>Road     | 125.00-1-18.119         |

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**TYPE OF APPLICATION:**

**SEQR:**

Area Variance     Use Variance     Interpretation     Rehearing     Type I     Type II

**Variance/Interpretation Requested:**    Shall the applicant be granted an area variance to place an accessory structure in the front yard of a single family dwelling when accessory structures are not permitted in front yards? Applicant is requesting an area variance in the AR-2 zoning district.

Unlisted  
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

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**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_  
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Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

---

**Public Hearing Opened:1/19/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 114-15**

**Applicant**

Marathon Engineering  
39 Cascade Drive  
Rochester, NY 14614

**Owner**

Edward & Patricia  
Brewer  
78 Trevor Court Road  
Rochester, NY 14610

**Project Type**

Tear-down  
rebuild  
dwelling

**Project Location**

4727 County Road 16

**Tax Map #**

140.11-1-30.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**SEQR:**

Type I     Type II

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a principal dwelling height of 29' when only 25' is allowed? Applicant is requesting a 4' height variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
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| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_

Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:**

**Meeting Date:** 1/19/2016

**Public Hearing Closed:**

**Project:** 114-15

**Applicant**

Marathon Engineering  
39 Cascade Drive  
Rochester, NY 14614

**Owner**

Edward & Patricia  
Brewer  
78 Trevor Court Road  
Rochester, NY 14610

**Project Type**

Tear-down  
rebuild  
dwelling

**Project Location**

4727 County Road 16

**Tax Map #**

140.11-1-30.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a garage height of 19.5' when only 16' is allowed? Applicant is requesting a 3.5' height variance in the RLD zoning district.

**SEQR:**

Type I     Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_

Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_



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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 114-15**

**Applicant**

Marathon Engineering  
39 Cascade Drive  
Rochester, NY 14614

**Owner**

Edward & Patricia  
Brewer  
78 Trevor Court Road  
Rochester, NY 14610

**Project Type**

Tear-down  
rebuild  
dwelling

**Project Location**

4727 County Road 16

**Tax Map #**

140.11-1-30.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**SEQR:**

Type I     Type II

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a rear setback to the dwelling of 41' when 60' is required? Applicant is requesting a 19' variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_

Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:**

**Meeting Date:** 1/19/2016

**Public Hearing Closed:**

**Project:** 114-15

**Applicant**

Marathon Engineering  
39 Cascade Drive  
Rochester, NY 14614

**Owner**

Edward & Patricia  
Brewer  
78 Trevor Court Road  
Rochester, NY 14610

**Project Type**

Tear-down  
rebuild  
dwelling

**Project Location**

4727 County Road 16

**Tax Map #**

140.11-1-30.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**SEQR:**

Type I     Type II

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a front setback to the detached garage of 43' when 60' is required? Applicant is requesting a 17' variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
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| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

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Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:**

**Meeting Date:** 1/19/2016

**Public Hearing Closed:**

**Project:** 114-15

**Applicant**

Marathon Engineering  
39 Cascade Drive  
Rochester, NY 14614

**Owner**

Edward & Patricia  
Brewer  
78 Trevor Court Road  
Rochester, NY 14610

**Project Type**

Tear-down  
rebuild  
dwelling

**Project Location**

4727 County Road 16

**Tax Map #**

140.11-1-30.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**SEQR:**

Type I     Type II

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a proposed building coverage of 19% when no more than 15% is permitted? Applicant is requesting a 4% building coverage variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
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| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_

Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:**

**Meeting Date:** 1/19/2016

**Public Hearing Closed:**

**Project:** 114-15

**Applicant**

Marathon Engineering  
39 Cascade Drive  
Rochester, NY 14614

**Owner**

Edward & Patricia  
Brewer  
78 Trevor Court Road  
Rochester, NY 14610

**Project Type**

Tear-down  
rebuild  
dwelling

**Project Location**

4727 County Road 16

**Tax Map #**

140.11-1-30.000

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**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**SEQR:**

Type I     Type II

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct a new single family dwelling and detached garage with a proposed lot coverage of 33% when no more than 25% is allowed? Applicant is requesting an 8% lot coverage variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
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| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_

Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

# Town of Canandaigua

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

Canandaigua, NY 14424  
Fax (585) 394-9476

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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:12/15/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 102-15**

**Applicant**

Meagher Engineering  
PO Box 76  
Victor, NY 14564

**Owner**

Sandy Kolupski  
126 Fiddlers Hollow  
Penfield, NY 14526

**Project Type**

Detached  
garage  
addition

**Project Location**

3478 Sandy Beach  
Drive

**Tax Map #**

98.15-1-60.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct an addition to a detached garage with a total square footage of 970 s.f. when no more than 900 s.f. are allowed? Applicant is requesting a 70 s.f. area variance in the RLD zoning district.

**SEQR:**

Type I     Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

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## Zoning Board of Appeals Decision Notification

---

**Public Hearing Opened:12/15/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 102-15**

**Applicant**

Meagher Engineering  
PO Box 76  
Victor, NY 14564

**Owner**

Sandy Kolupski  
126 Fiddlers Hollow  
Penfield, NY 14526

**Project Type**

Detached  
garage  
addition

**Project Location**

3478 Sandy Beach  
Drive

**Tax Map #**

98.15-1-60.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct an addition to a detached garage with a right side setback of 2.33' when 10' are required? Applicant is requesting a 7.67' area variance in the RLD zoning district.

**SEQR:**

Type I     Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

# Town of Canandaigua

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Canandaigua, NY 14424  
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## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 12/15/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 102-15**

| <u>Applicant</u>                                     | <u>Owner</u>  | <u>Project Type</u>            | <u>Project Location</u>   | <u>Tax Map #</u> |
|--|---|--------------------------------|---------------------------|------------------|
| Meagher Engineering<br>PO Box 76<br>Victor, NY 14564 | Sandy Kolupski<br>126 Fiddlers Hollow<br>Penfield, NY 14526 | Detached<br>garage<br>addition | 3478 Sandy Beach<br>Drive | 98.15-1-60.000   |

**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 addition to a detached garage with a proposed building coverage percentage of 27.53% when no more than 20% is allowed? Applicant is requesting a 7.53% area variance in the RLD zoning district.

**SEQR:**

Unlisted  
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016

See attached resolution(s)

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_

# Town of Canandaigua

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## Zoning Board of Appeals Decision Notification

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**Public Hearing Opened:12/15/2016**

**Meeting Date: 1/19/2016**

**Public Hearing Closed:**

**Project: 102-15**

**Applicant**

Meagher Engineering  
PO Box 76  
Victor, NY 14564

**Owner**

Sandy Kolupski  
126 Fiddlers Hollow  
Penfield, NY 14526

**Project Type**

Detached  
garage  
addition

**Project Location**

3478 Sandy Beach  
Drive

**Tax Map #**

98.15-1-60.000

---

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing

**Variance/Interpretation Requested:** Shall the applicant be granted an area variance to construct an addition to a detached garage with a proposed lot coverage of 35.1% when no more than 30% is permitted? Applicant is requesting a 5.1% area variance in the RLD zoning district.

**SEQR:**

Type I     Type II

Unlisted

See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to: February 16, 2016  See attached resolution(s)

---

**VOTING:**

|                  |                              |                              |                                    |
|------------------|------------------------------|------------------------------|------------------------------------|
| Bob Hilliard     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Dave Emery       | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Kelly LaVoie     | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Chip Sahler      | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |
| Terence Robinson | <input type="checkbox"/> AYE | <input type="checkbox"/> NAY | <input type="checkbox"/> Abstained |

**REASONS/CONDITIONS:**

Certified By: \_\_\_\_\_  
Chairperson, Zoning Board of Appeals

Date: \_\_\_\_\_



*Town of Canandaigua*  
5440 Routes 5 & 20 West  
Canandaigua, NY 14424  
(585) 394-1120 / Fax (585) 394-9476

**Canandaigua Zoning Board of Appeals Resolution**

**SEQR Resolution Determination of Significance – TYPE II Action**

FILE # CPN-065-15

APPLICANT: JAMES VANDERHOOF, 3490 SANDY BEACH DRIVE

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 Bob Hilliard and seconded by Dave Emery at a regularly scheduled meeting of the ZBA held on Tuesday, January 19, 2016. Following discussion therein, the following roll call vote was taken and recorded:

|                       |                  |   |                              |                                    |
|-----------------------|------------------|---|------------------------------|------------------------------------|
| <b><u>VOTING:</u></b> | 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 |
|                       | Terence Robinson | <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 January 19, 2016 meeting.

\_\_\_\_\_  
Cheryl Berry, Secretary of the ZBA