

5440 Routes 5 & 20 West Canandaigua, NY 14424

#### **ZONING BOARD OF APPEALS**

Tuesday March 15, 2016, 6:00 p.m.

#### **MEETING AGENDA**

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

#### PLEDGE OF ALLEGIANCE

#### **CONTINUED PUBLIC HEARINGS:**

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-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. (Applicant would like to be tabled until April 19, 2016 meeting)

#### **NEW PUBLIC HEARINGS:**

CPN-006-16 Bayer Landscape Architecture, representing Richard Sands, TM#154.06-1-7.100, owner of property at 4947 County Road 16, is requesting area variances to remove a tennis court and build an in-ground pool and associated accessory structures in the RLD zoning district.

CPN-008-16 Passero Associates, representing 5251 Parkside Housing Development Fund Co., Inc., owner of property at 5251 Parkside Drive, TM#70.11-1-29.000, are requesting area variances to construct four six-unit apartment buildings and one 24-unit apartment building in the MR zoning district.

CPN-009-16 Bayer Landscape Architecture, representing Joel Reiser and Nancy Hyman, owners of property at 5265 Menteth Drive, TM#140.11-1-25.000, is requesting area variances to tear-down and rebuild a single family dwelling and detached garage in the RLD zoning district.

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

#### **BOARD BUSINESS:**

- 1. Approval of March 1, 2016 Meeting Minutes
- 2. Review of Next Month's Agenda (April 19, 2016)
- 3. Requests for Hearing: None at this time



Project: 085-15   Project: 085-15   Project: 085-15	Public Hearing Opened: 1/19/2016		<b>Meeting Date: 1/19/2016</b>					
John Casey John Casey John Casey John Casey John Casey John Canandaigua, NY 14424 Savinandaigua, NY 14424 Canandaigua, NY 14424 Savinandaigua, NY 1424 Savinandaigua, NY 14424 Savinandiaigua, NY 14424 Savinandiaigua, NY 14424 Savinandiaigua, NY 1	Public Hearing Closed	:3/15/2016		<b>Project:</b> 085-15				
☑ Area Variance ☐ Use Variance ☐ Interpretation ☐ Rehearing ☐ Type I ☑ Type II  Variance/Interpretation Requested: Shall the applicant be granted an area variance to ☐ Unlisted  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.  See Attached resolution(s)  Negative Declaration Date:  APPLICANT REQUEST:  ☐ Granted ☐ Denied ☐ ☐ ☐ See attached resolution(s)  VOTING: ☐ Bob Hilliard ☐ AYE ☐ NAY ☐ Abstained ☐ Dave Emery ☐ AYE ☐ NAY ☐ Abstained ☐ Chip Sahler ☐ AYE ☐ NAY ☐ Abstained ☐ Chip Sahler ☐ AYE ☐ NAY ☐ Abstained ☐ Chip Sahler ☐ AYE ☐ NAY ☐ Abstained ☐ Terence Robinson ☐ AYE ☐ NAY ☐ Abstained ☐ Reasons/Conditions:  The Zoning Board's decision is based on information received 6/15/15, 10/14/15, 10/22/15, 10/23/15, 11/19/15, 12/17/15, 2/9/16 & 2/25/16 as well as facts presented during the Public Hearings. The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance request is granted. This variance shall be void if construction has not commenced within one year of the date of its issuance. Variance is granted due to the unique medical situation of the applicant being a paraplegic and his specific needs. Applicant submitted a note from his doctor outlining recommendations for exercise to improve his overall health and well-being as a result of his paralysis. Length of the pool is required to be able to accommodate ingress and egress, shallow end is needed to get into the pool, deep end is needed to be vertical and do the exercises, width is necessary to accommodate wheelchair	John Casey 3796 County Road 16	John Casey 3796 County R		Install inground swimming pool, shed in				
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         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.       □ See Attached resolution(s)         APPLICANT REQUEST:         ☑ Granted       □ Denied         □ See attached resolution(s)     VOTING:  Bob Hilliard  Dave Emery  AYE  NAY  Abstained  Chip Sahler  AYE  NAY  Abstained  Chip Sahler  AYE  NAY  Abstained  Chip Sahler  AYE  NAY  Abstained  REASONS/CONDITIONS:  The Zoning Board's decision is based on information received 6/15/15, 10/14/15, 10/22/15, 10/23/15, 11/19/15, 12/17/15, 2/9/16 & 2/25/16 as well as facts presented during the Public Hearings. The benefit to the applicant outweighs the detriment to the eighborhood, therefore the variance request is granted. This variance shall be void if construction has not commenced within one year of the date of its issuance. Variance is granted due to the unique medical situation of the applicant being a paraplegic and his specific needs. Applicant submitted a note from his doctor outlining recommendations for exercise to improve his overall health and well-being as a result of his paralysis. Length of the pool is required to be able to accommodate ingress and egress, shallow end is needed to get into the pool, deep end is needed to be vertical and do the exercises, width is necessary to accommodate wheelchair       Vorince     Bob Hilliard     AYE     NAY     NAY <td< td=""><td>TYPE OF APPLICATION</td><td>I<u>:</u></td><td></td><td></td><td></td><td>SEQR:</td><td></td></td<>	TYPE OF APPLICATION	I <u>:</u>				SEQR:		
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.    See Attached resolution(s)	🗷 Area Variance	☐ Use Variance	☐ Interpret	tation	earing	☐ Type I	▼ Type II	
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.    See Attached resolution(s)						<ul><li>Unlisted</li></ul>		
Negative Declaration Date:    Positive Declaration Date:	39.8% when only 25% is p			☐ See Attach	ed resolution(s)			
APPLICANT REQUEST:  Granted Denied Denied  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 Chip Sahler AYE NAY Abstained Terence Robinson AYE NAY Abstained Terence Robinson AYE NAY Abstained  REASONS/CONDITIONS:  The Zoning Board's decision is based on information received 6/15/15, 10/14/15, 10/22/15, 10/23/15, 11/19/15, 12/17/15, 2/9/16 & 2/25/16 as well as facts presented during the Public Hearings. The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance request is granted. This variance shall be void if construction has not commenced within one year of the date of its issuance. Variance is granted due to the unique medical situation of the applicant being a paraplegic and his specific needs. Applicant submitted a note from his doctor outlining recommendations for exercise to improve his overall health and well-being as a result of his paralysis. Length of the pool is required to be able to accommodate ingress and egress, shallow end is needed to get into the pool, deep end is needed to be vertical and do the exercises, width is necessary to accommodate wheelchair	the for eoverage in the reg	D Zoming district.				Negative Decl	aration Date:	
See attached resolution(s)    YOTING:	Approximate Drovings					Positive Decla	ration Date:	
VOTING:  Bob Hilliard  Dave Emery  AYE  NAY  Abstained  Kelly LaVoie  E AYE  NAY  Abstained  Chip Sahler  Terence Robinson  AYE  NAY  Abstained  Chip Sahler  E AYE  NAY  Abstained  Chip Sahler  Terence Robinson  AYE  NAY  Abstained  NAY  Abstained  NAY  Abstained  Terence Robinson  AYE  NAY  Abstained  Terence Robinson  Terence Robinson  AYE  NAY  Abstained  REASONS/CONDITIONS:  The Zoning Board's decision is based on information received 6/15/15, 10/14/15, 10/22/15, 10/23/15, 11/19/15, 12/17/15, 2/9/16 & 2/25/16 as well as facts presented during the Public Hearings. The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance request is granted. This variance shall be void if construction has not commenced within one year of the date of its issuance. Variance is granted due to the unique medical situation of the applicant being a paraplegic and his specific needs. Applicant submitted a note from his doctor outlining recommendations for exercise to improve his overall health and well-being as a result of his paralysis. Length of the pool is required to be able to accommodate ingress and egress, shallow end is needed to get into the pool, deep end is needed to be vertical and do the exercises, width is necessary to accommodate wheelchair								
Dave Emery								
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Kelly LaVoie	VOTING:							
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access and provide room for an aide. Applicant has reduced his request to be the minimum necessary to meet his needs. This unique circumstances would not be applicable to any other applicant who is not a paraplegic. Applicant has changed the application in order to specifically accommodate for water runoff to lessen the degree of impermeability and has added a rain garden.	2/25/16 as well as facts neighborhood, therefore the year of the date of its issue specific needs. Applicant well-being as a result of I needed to get into the postaccess and provide room to circumstances would not be	presented during the P he variance request is gra- lance. Variance is grant submitted a note from hi his paralysis. Length of the ol, deep end is needed to for an aide. Applicant has be applicable to any other	ublic Hearin inted. This ed due to the s doctor outle he pool is re be vertical s reduced his applicant w	ngs. The benefit variance shall be vere unique medical stining recommenda equired to be able to and do the exercises request to be the who is not a paraple	to the appoint to the	pplicant outweight astruction has not f the applicant be exercise to impro- modate ingress an is necessary to a mecessary to mee- icant has changed	as the detriment to the commenced within one sing a paraplegic and his we his overall health and d egress, shallow end is ccommodate wheelchair et his needs. This unique I the application in order	
Certified By: Date: Chairperson, Zoning Board of Appeals	Certified By:		·	Dat	te:			



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened:3/15/2016			<b>Meeting Date: 3/15/2016</b>					
Public Hearing Clos	sed:	<u>P</u>	<b>Project: 008-16</b>					
Applicant Mark Bayer Bayer Landscape Architecture LLC	Owner Richard Sand 207 High Poi Bldg. 100 Victor, NY 1	s C nt Drive g a	Project Type Construct in- round pool nd associated tructures	Project Location 4947 County Road	<u>Tax Map #</u> 16 154.06-1-7.1			
TYPE OF APPLICATI	ON:			SEQR:				
variance to construct allowed? Applicant in the Applicant in the Applicant Requestions of the Applicant Reques	Denied 🗷 Continue	a length of 42' v	granted an area when only 40' i LD zoning distr	Unliste See At Negative I				
REASONS/CONDITIO	Kelly LaVoie Chip Sahler Terence Robinson	□ AYE □ AYE □ AYE	□ NAY □ NAY □ NAY	□ Abstained □ Abstained □ Abstained □ Abstained				
Certified By:Chip Sa	ahler, Vice Chairperson,	Zoning Board o	of Appeals	Date:				



Public Hearing Opened: 3/15/2016			<b>Meeting Date: 3/15/2016</b>					
Public Hearing Close	<u>ed:</u>		<b>Project:</b> 008-16					
Applicant Mark Bayer Bayer Landscape Architecture LLC	Owner Richard Sand 207 High Poi Bldg. 100 Victor, NY 1	nt Drive	Project Type Construct inground pool and associated structures		Location ounty Road 16	<u>Tax Map #</u> 154.06-1-7.1		
TYPE OF APPLICATION	ON:				SEQR:			
■ Area Variance	☐ Use Variance	☐ Interpreta	ation	earing	☐ Type I	ĭ Type II		
	on Requested: Shall the cessory structure to an			night	☐ Unlisted			
	wed? Applicant is requi			☐ See Attached resolution(s)				
C					Negative Decl	aration Date:		
_					Positive Decla	ration Date:		
APPLICANT REQUES		1. 4 11.1	0.2016					
☐ Granted ☐ D☐ ☐ See attached resolu		ed to: April 1	9, 2016					
See attached reson	ution(s)							
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIO	NS:							
Certified By:Chip Sa	hler, Vice Chairperson,	Zoning Boar	d of Appeals	Date	e:			



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Public Hearing Opened:3/15/2016			<b>Meeting Date: 3/15/2016</b>					
Public Hearing Clos	sed:		<b>Project: 008-16</b>					
Applicant Mark Bayer Bayer Landscape Architecture LLC	Owner Richard Sand 207 High Poi Bldg. 100 Victor, NY 1	nt Drive	Project Type Construct inground pool and associated structures		Location Dunty Road 16	<u>Tax Map #</u> 154.06-1-7.1		
TYPE OF APPLICAT	ION:				SEQR:			
■ Area Variance	☐ Use Variance	☐ Interpreta	tion	earing	☐ Type I	ĭ Type II		
_	on Requested: Shall th		-		☐ Unlisted			
setback of 12.25'who	an accessory structure to en 15' is required? Appl etback in the RLD zonin		☐ See Attach	ed resolution(s)				
					Negative Decl	aration Date:		
APPLICANT REQUES					Positive Decla	ration Date:		
☐ See attached reso	lution(s)							
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIO	ONS:							
Certified By:	ahler. Vice Chairperson.	Zoning Board	d of Appeals	Date	e:			



Public Hearing Opened: 3/15/	<u>/2016</u>	Meeting Date: 3/15/2016  Project: 008-16					
Public Hearing Closed:							
Applicant Mark Bayer Bayer Landscape Architecture LLC	Owner Richard Sands 207 High Point Drive Bldg. 100 Victor, NY 14564		ject Location Tax Map # 7 County Road 16 154.06-1-7.1				
TYPE OF APPLICATION:			SEQR:				
✓ Area Variance ☐ Use	Variance	ation	g 🗖 Type I 🗷 Type II				
Variance/Interpretation Requestion variance to construct an in-gro			Unlisted				
footage of 1,743' when only 10 area variance in the RLD zonir							
area variance in the RED Zonni	ig district.		Negative Declaration Date:				
			Positive Declaration Date:				
APPLICANT REQUEST:							
☐ Granted ☐ Denied	Continued to: April 1	9, 2016					
☐ See attached resolution(s)							
Chip S	Emery □ AYE LaVoie □ AYE	<ul><li>□ NAY</li><li>□ NAY</li><li>□ NAY</li><li>□ NAY</li><li>□ NAY</li></ul>	□Abstained  ☑Abstained □Abstained □Abstained  ☑Abstained				
REASONS/CONDITIONS:							
Certified By:	e Chairperson, Zoning Boar		Date:				



Public Hearing Opened:3/15	<b>Meeting Date: 3/15/2016</b>						
Public Hearing Closed:3/15/	<u>2016</u>	<b>Project: 008-16</b>					
Applicant Passero Associates 242 W. Main Street Suite 100 Rochester, NY 14614	Owner 5251Parkside Housing Dev. Fund 421 Lewis Street Geneva, NY 14456	Project Type Veterans Housing Complex		<b>Location</b> rkside Drive	<u>Tax Map #</u> 70.11-1-29.000		
TYPE OF APPLICATION:				SEQR:			
✓ Area Variance ☐ Use Variance/Interpretation Requesto construct Building #2 with Applicant is requesting a 2.6' district.  APPLICANT REQUEST:  ☐ Granted ☐ Denied ☐ See attached resolution(s)	a side setback of 47.4' when	e granted an area v 50' is required?	variance	☐ Type I ☐ Unlisted ☐ See Attach Negative Declar Positive Declar			
Dave Kelly Chip S	Hilliard	□ NAY □ NAY □ NAY □ NAY □ NAY	□A □A □A	bstained bstained bstained bstained bstained			
REASONS/CONDITIONS:							
The Board's decision is based or benefit to the applicant outweigh void if construction has not com- survey allowing construction to be revised site plan approved to refle	s the detriment to the neighbor menced within one year of the be done not according to drawi	hood, therefore the date of its issuance ngs submitted. Ap	variance re. This is a	equest is granted minimal varian	d. This variance shall be ce based on an error in a		
Certified By:Chin Sahler_Vio	ce Chairperson, Zoning Boar	d of Anneals	Date	:			



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened: 3/15/2016		<b>Meeting Date: 3/15/2016</b>						
Public Hearing Close	d:3/15/2016		<b>Project: 008-16</b>					
Applicant Passero Associates 242 W. Main Street Suite 100 Rochester, NY 1461	Owner 5251Parkside Dev. Fund 421 Lewis Str Geneva, NY	Housing	Project Type Veterans Housing Complex		<u>Location</u> rkside Drive	<u>Tax Map #</u> 70.11-1-29.000		
TYPE OF APPLICATIO	N:				SEQR:			
■ Area Variance	☐ Use Variance	☐ Interpreta	tion	earing	☐ Type I	ĭ Type II		
Variance/Interpretation to construct Building #				ariance	☐ Unlisted			
Applicant is requesting			istrict.	☐ See Attached resolution(s)				
					Negative Dec	laration Date:		
					Positive Decla	aration Date:		
APPLICANT REQUEST	' <u>•</u>							
☑ Granted ☐ De	nied	d to:						
☐ See attached resolu	tion(s)							
Voting:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☑ AYE ☑ AYE ☑ AYE ☑ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		abstained abstained abstained abstained abstained			
REASONS/CONDITION	<u>s:</u>							
benefit to the applicant o void if construction has i	utweighs the detriment to not commenced within on tion to be done not acco	o the neighborh ne year of the d rding to drawin	ood, therefore the ate of its issuance	variance in this is a	request is granted n minimal varian	the Public Hearing. The d. This variance shall be ce based on an error in a anning Board to get their		
Certified By:				Date	»:			
Chip Sah	ler, Vice Chairperson,	Zoning Board	l of Appeals					



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Public Hearing Opened: 3/15/2016			<b>Meeting Date: 3/15/2016</b>					
Public Hearing Clos	sed:		<b>Project:</b> 008-16					
Applicant Mark Bayer Bayer Landscape Are 19 North Main Street Honeoye Falls, NY 1	t 6 Windham	Circle	Project Type Tear Down and Rebuild		Location enteth Drive	<u>Tax Map #</u> 140.11-1-25.000		
TYPE OF APPLICATION	ION:				SEQR:			
■ Area Variance	☐ Use Variance	☐ Interpreta	ation	earing	☐ Type I	<b>▼</b> Type II		
	on Requested: Shall the family dwelling with a		☐ Unlisted					
	? Applicant is requesting		☐ See Attac	ned resolution(s)				
Zoning district.					Negative Dec	claration Date:		
					Positive Decl	aration Date:		
APPLICANT REQUES  ☐ Granted ☐ I		ed to: April 19	0.2016					
☐ See attached reso		ed to. April 19	9, 2010					
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIO	DNS:							
Certified By:	ahler, Vice Chairperson		1.64	Date	e:			
Chip S	ahler, Vice Chairperson	, Zoning Boar	d of Appeals					



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened: 3/15/2016			<b>Meeting Date: 3/15/2016</b>					
Public Hearing Clo	osed:		Project: 008-1	<u>6</u>				
Applicant Mark Bayer Bayer Landscape A 19 North Main Stree Honeoye Falls, NY	et 6 Windham	Circle	Project Type Tear Down and Rebuild		Location enteth Drive	<u>Tax Map #</u> 140.11-1-25.000		
TYPE OF APPLICAT	TION:				SEQR:			
■ Area Variance	☐ Use Variance	☐ Interpreta	tion	earing	☐ Type I	<b>▼</b> Type II		
	ion Requested: Shall the family dwelling with a r				☐ Unlisted			
mark of 40.7' when	60' is required? Applicated setback in the RLD zon	ant is requestin			☐ See Attac	hed resolution(s)		
		8			Negative Dec	claration Date:		
					Positive Decl	aration Date:		
APPLICANT REQUI  ☐ Granted ☐  ☐ See attached res	Denied   ☐ Continue  ☐ Continue  ☐ Continue  ☐ Continue	ed to: April 19	, 2016					
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITI	ONS:							
	Sahler, Vice Chairperson			Date				



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Public Hearing Opened: 3/15/2016			<u>Meeting Date: 3/15/2016</u>						
Public Hearing Closed	<u>:</u>		<b>Project:</b> 008-16						
Applicant Mark Bayer Bayer Landscape Arch. 19 North Main Street Honeoye Falls, NY 144	Owner Joel Reiser & Hyman 6 Windham C Mendon, NY	Circle	Project Type Tear Down and Rebuild		<u>Location</u> enteth Drive	<u>Tax Map #</u> 140.11-1-25.000			
TYPE OF APPLICATION	<u>:</u>				SEQR:				
Area Variance  Variance/Interpretation to construct a single far more than 6 months of t	nily dwelling with a re	ear setback to	granted an area v	variance	☐ Type I☐ Unlisted☐	ĭ Type II			
requesting a 75' varianc  APPLICANT REQUEST:	e in the RLD zoning of	district.			Negative Dec				
☐ Granted ☐ Den ☐ See attached resoluti		d to: April 19	9, 2016						
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained				
REASONS/CONDITIONS	<u>:</u>								
Certified By:	er, Vice Chairperson,	Zoning Roar	d of Anneals	Date	e:				
Cinp Saint	or, vice champerson,	Zoning Doar	a or Appears						



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened: 3/15/2016			<b>Meeting Date: 3/15/2016</b>					
Public Hearing Clo	osed:		Project: 008-1	<u>.6</u>				
Applicant Mark Bayer Bayer Landscape At 19 North Main Stree Honeoye Falls, NY	& Nancy Circle 7 14506	Project Type Tear Down and Rebuild		t Location Tax Map # Menteth Drive 140.11-1-25.00				
TYPE OF APPLICAT	TION:				SEQR:			
■ Area Variance	☐ Use Variance	☐ Interpret	ation □Reh	earing	☐ Type I	ĭ Type II		
	ion Requested: Shall the with a side setback of 5			☐ Unlisted				
requesting a 6.8' sid			☐ See Attac	hed resolution(s)				
					Negative Dec	claration Date:		
					Positive Decl	laration Date:		
APPLICANT REQUE  ☐ Granted ☐  ☐ See attached resonant content	Denied   ☑ Continue	ed to: April 19	9, 2016					
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITI	ONS:							
Certified By:	Sahler, Vice Chairperson	Zanina Dana	d of America	Date	o:			



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened: 3/15/2016			<b>Meeting Date: 3/15/2016</b>					
Public Hearing Closed:			<b>Project: 008-16</b>					
Applicant Mark Bayer Bayer Landscape Arch. 19 North Main Street Honeoye Falls, NY 14472	Owner Joel Reiser & Hyman 6 Windham Mendon, NY	Circle	Project Type Tear Down and Rebuild		<b>Location</b> enteth Drive	<u>Tax Map #</u> 140.11-1-25.000		
TYPE OF APPLICATION:					SEQR:			
✓ Area Variance ☐ Us	e Variance	☐ Interpret	ation	earing	☐ Type I	ĭ Type II		
Variance/Interpretation Requito construct a garage with a fi			☐ Unlisted					
requesting a 54.8' variance in		is required. Tipp	,1104111 15	☐ See Attacl	hed resolution(s)			
					Negative Dec	elaration Date:		
					Positive Decl	aration Date:		
APPLICANT REQUEST:		1. A 11.1	0.0016					
☐ Granted ☐ Denied ☐ See attached resolution(s)	E Continue	ed to: April 1	9, 2016					
Dave Kelly Chip	Hilliard Emery LaVoie Sahler ace Robinson	□ AYE □ AYE □ AYE □ AYE □ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIONS:								
Certified By:Chip Sahler, Vi	ce Chairperson	, Zoning Boar	rd of Appeals	Date	::			



Canandaigua, NY 14424 Fax (585) 394-9476

	Public Hearing Opened: 3/15/2016			<b>Meeting Date: 3/15/2016</b>				
Public Hearing Clo	osed:		Project: 008-1	<u>6</u>				
Applicant Mark Bayer Bayer Landscape At 19 North Main Stree Honeoye Falls, NY	et 6 Windham	Circle	Project Type Tear Down and Rebuild		Location enteth Drive	<u>Tax Map #</u> 140.11-1-25.000		
TYPE OF APPLICAT	TION:				SEQR:			
■ Area Variance	☐ Use Variance	☐ Interpreta	ation	earing	☐ Type I	ĭ Type II		
	ion Requested: Shall the with a setback to a stre				☐ Unlisted			
	when 100' is required?				☐ See Attac	hed resolution(s)		
variance in the KEE	Zoming district.				Negative Dec	claration Date:		
					Positive Decl	aration Date:		
APPLICANT REQUE  ☐ Granted ☐  ☐ See attached reso	Denied   ☑ Continu	ed to: April 19	9, 2016					
☐ Granted ☐	Denied   ☑ Continu	ed to: April 19  AYE AYE AYE AYE AYE AYE AYE	D, 2016  □ NAY □ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
☐ Granted ☐ ☐ See attached reso	Denied	□ AYE □ AYE □ AYE □ AYE □ AYE	□ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained			



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened: 3/15/2016			<b>Meeting Date: 3/15/2016</b>				
Public Hearing Clos	sed:		Project: 008-1	<u>.6</u>			
Applicant Mark Bayer Bayer Landscape Arc 19 North Main Street Honeoye Falls, NY 1	6 Windham	Circle	Project Type Tear Down and Rebuild		ELocation Tenteth Drive	<u>Tax Map #</u> 140.11-1-25.000	
TYPE OF APPLICATI	ON:				SEQR:		
■ Area Variance	☐ Use Variance	☐ Interpret	ation	earing	☐ Type I	ĭ Type II	
	on Requested: Shall the with a height of 18.64'				☐ Unlisted		
2 2	riance in the RLD zonii		owen rippine	<b>110</b> 10	☐ See Attac	hed resolution(s)	
					Negative Dec	claration Date:	
					Positive Decl	laration Date:	
APPLICANT REQUES  ☐ Granted ☐ ☐  ☐ See attached resol	Denied E Continue	ed to: April 1	9, 2016				
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained		
REASONS/CONDITIO	<u>ons:</u>						
Certified By:Chip Sa	ahler, Vice Chairperson	, Zoning Boar	rd of Appeals	Date	e:		



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Open	<u>ed:</u>		Meeting Date:	March 1	<u>15, 2016</u>	
Public Hearing Closed	<u>d:</u>		Project: 085-1	<u>5</u>		
Applicant Marathon Engineering 39 Cascade Drive Rochester, NY 14614	Owner Edward & Par Brewer 78 Trevor Co Rochester, N	urt Road	Project Type Tear down and rebuild dwelling		Location ounty Road 16	<u>Tax Map #</u> 140.11-1-30.000
TYPE OF APPLICATION	<u>N:</u>				SEQR:	
▼ Area Variance	☐ Use Variance	☐ Interpreta	ation	earing	☐ Type I	ĭ Type II
Variance/Interpretation to construct a new sing					☐ Unlisted	
coverage of 33% when 8% lot coverage varian	no more than 25% is a	allowed? Ap			☐ See Attach	ned resolution(s)
on the coverage variant	ee in the reas zoning	organica.			Negative Decl	laration Date:
APPLICANT REQUEST					Positive Decla	aration Date:
☐ Granted ☐ De☐ See attached resolut		d to: April 19	9, 2016			
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITION	<u>s:</u>					
Application continued	until April 19, 2016 at	the applicant	t's request			
Certified By:Chair	person Zoning Roard	of Anneals	Da	te:		



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opene	<u></u>		Meeting Date:	March 1	15, 201 <u>6</u>	_
Public Hearing Closed	<u>l:</u>		Project: 085-1	<u>5</u>		
Applicant Marathon Engineering 39 Cascade Drive Rochester, NY 14614	Owner Edward & Pat Brewer 78 Trevor Cot Rochester, N	urt Road	Project Type Tear down and rebuild dwelling		ELocation Ounty Road 16	<u>Tax Map #</u> 140.11-1-30.000
TYPE OF APPLICATION	<u>N:</u>				SEQR:	
■ Area Variance	☐ Use Variance	☐ Interpreta	ation	earing	☐ Type I	➤ Type II
Variance/Interpretation to construct a new single	_		-		☐ Unlisted	
building coverage of 19 requesting a 4% building	% when no more than	15% is allow	wed? Applicant is		☐ See Attach	ed resolution(s)
requesting a 470 bundin	ig coverage variance in	i the KLD zo	ming district.		Negative Decl	aration Date:
					Positive Decla	ration Date:
APPLICANT REQUEST:						
☐ Granted ☐ Den ☐ See attached resolut		d to: April 19	9, 2016			
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE	☐ NAY ☐ NAY ☐ NAY ☐ NAY ☐ NAY ☐ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITIONS	<u>S:</u>					
Application continued t	until April 19, 2016 at	the applicant	t's request			
Certified By:Chairn	person, Zoning Board of	of Annasis	Dat	te:		
Chairp	erson, Zoning Board (	or Appears				



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opene	<u>d:</u>		Meeting Date:	March 1	15, 2016	
Public Hearing Closed	<u>l:</u>		Project: 085-1	<u>5</u>		
Applicant Marathon Engineering 39 Cascade Drive Rochester, NY 14614	Owner Edward & Pa Brewer 78 Trevor Co Rochester, N	urt Road	Project Type Tear down and rebuild dwelling		Location ounty Road 16	<u>Tax Map #</u> 140.11-1-30.000
TYPE OF APPLICATION	N:				SEQR:	
➤ Area Variance	☐ Use Variance	☐ Interpreta	ation	earing	☐ Type I	ĭ Type II
Variance/Interpretation to construct a new single					☐ Unlisted	
of 19.5' when no more to variance in the RLD zon	han 16' is allowed? A				☐ See Attach	ed resolution(s)
variance in the KEB 201	anig district.				Negative Decl	aration Date:
					Positive Decla	ration Date:
APPLICANT REQUEST:						
☐ Granted ☐ Der ☐ See attached resolut:		d to: April 19	9, 2016			
Voting:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITIONS	<u>S:</u>					
Application continued u	ıntil April 19, 2016 at	the applicant	t's request			
Certified By:Chairn	erson, Zoning Board	of Annasia	Dat	e:		
Chairp	cison, Zoning Doard (	n Appeais				



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened:			Meeting Date:	March 1	<u>15, 2016</u>	
Public Hearing Closed:			Project: 085-1	<u>5</u>		
Applicant Marathon Engineering 39 Cascade Drive Rochester, NY 14614	Owner Edward & P Brewer 78 Trevor C Rochester,	ourt Road	Project Type Tear down and rebuild dwelling		Location Dounty Road 16	<u>Tax Map #</u> 140.11-1-30.000
TYPE OF APPLICATION:					<b>SEQR:</b>	
☑ Area Variance ☐ U	se Variance	☐ Interpreta	ation	earing	☐ Type I	<b>▼</b> Type II
Variance/Interpretation Requ to construct a new single far			•		☐ Unlisted	
to the detached garage of 43 variance in the RLD zoning	when 60' is re				☐ See Attach	ed resolution(s)
variance in the RDB Zoning	district.				Negative Decl	aration Date:
					Positive Decla	ration Date:
APPLICANT REQUEST:						
☐ Granted ☐ Denied	Continu	ed to: April 19	9, 2016			
☐ See attached resolution(s	)					
Dav Kell Chip	Hilliard e Emery y LaVoie o Sahler ence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITIONS:						
Application continued until	April 19, 2016 a	at the applicant	's request			
Certified By:Chairperson	1. Zoning Board	l of Appeals	Dat	e:		



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened:			Meeting Date:	March 1	15, 2016	_
Public Hearing Closed:			Project: 085-1	<u>5</u>		
Applicant Marathon Engineering 39 Cascade Drive Rochester, NY 14614	Owner Edward & Pa Brewer 78 Trevor Co Rochester, N	ourt Road	Project Type Tear down and rebuild dwelling		Location Dunty Road 16	<u>Tax Map #</u> 140.11-1-30.000
TYPE OF APPLICATION:					SEQR:	
■ Area Variance  □	Use Variance	☐ Interpret	ation	earing	☐ Type I	ĭ Type II
Variance/Interpretation Reto construct a new single fa					☐ Unlisted	
the dwelling of 41' when 6 the RLD zoning district.					☐ See Attach	ed resolution(s)
the RLD zonnig district.					Negative Decl	aration Date:
					Positive Decla	ration Date:
APPLICANT REQUEST:						
☐ Granted ☐ Denied	☑ Continue	d to: April 1	9, 2016			
☐ See attached resolution	(s)					
Da Ke Ch	ob Hilliard ave Emery elly LaVoie nip Sahler rence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITIONS:						
Application continued unti	l April 19, 2016 at	the applicant	t's request			
Certified By:			Da	te:		
Chairpers	on, Zoning Board	of Appeals				



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opene	<u></u>		Meeting Date:	March 1	15, 201 <u>6</u>	
Public Hearing Closed	<u>l:</u>		Project: 085-1	<u>5</u>		
Applicant Marathon Engineering 39 Cascade Drive Rochester, NY 14614	Owner Edward & Par Brewer 78 Trevor Cor Rochester, N	urt Road	Project Type Tear down and rebuild dwelling		ELocation Ounty Road 16	<u>Tax Map #</u> 140.11-1-30.000
TYPE OF APPLICATION	N:				SEQR:	
▼ Area Variance	☐ Use Variance	☐ Interpret	ation	earing	☐ Type I	ĭ Type II
Variance/Interpretation to construct a new single					☐ Unlisted	
dwelling height of 29' v height variance in the R	when only 25' is allow				☐ See Attach	ed resolution(s)
neight variance in the iv	ZDD Zoming district.				Negative Decl	aration Date:
					Positive Decla	ration Date:
APPLICANT REQUEST:						
☐ Granted ☐ Der☐ See attached resolut		d to: April 1	9, 2016			
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITIONS	<u>S:</u>					
Application continued u	until April 19, 2016 at	the applicant	t's request			
Certified By:Chairn	person, Zoning Board of	of Appeals	Dat	te:		
Chairp	erson, Zoning Board (	n Appeais				



Canandaigua, NY 14424 Fax (585) 394-9476

Public Hearing Opened:3/1/	<u>2016</u>	Meeting Date:	March 15, 2016		
Public Hearing Closed:		Project: 003-1	<u>6</u>		
Applicant Kevin & Catherine McWilliams 3879 Middle Cheshire Road Canandaigua, NY 14424	Owner Kevin & Catherine McWilliams 3879 Middle Cheshire Road Canandaigua, NY 14424	Project Type Remove old barn and replace with new	Project Location 3879 Middle Cheshire Road	Tax Map # 112.04-1-1.53	
TYPE OF APPLICATION:			SEQR:		
✓ Area Variance ☐ Use	e Variance	ation	earing	▼ Type II	
Variance/Interpretation Reque to place an accessory structure				ed	
accessory structures on the lot permitted? Applicant is reque	t to 8,258 s.f. when no more	than 3,000 s.f. is	☐ See At	tached resolution(s)	
district.	sting a 5,250 s.r. variance in	t the K-1-30 zoini		Negative Declaration Date:	
			Positive D	Declaration Date:	
APPLICANT REQUEST:  ☐ Granted ☐ Denied ☐ See attached resolution(s)	☐ Continued				
Dave Kelly Chip S	Hilliard AYE Emery AYE LaVoie AYE Sahler AYE ce Robinson AYE	□ NAY □ NAY □ NAY □ NAY □ NAY	□Abstained □Abstained □Abstained □Abstained		
REASONS/CONDITIONS:					
Application withdrawn by app					
Certified By:Chairperson,	Zoning Board of Appeals	Dar	e:		

# 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-085-15

APPLICANT: JOHN CASEY, 3796 COUNTY ROAD 16

	Action to be a Type II	-	· <del>-</del>	ter referred to as ZBA, has determined e State Environmental Quality Review
	E IT RESOLVED that the EQR and directs this F		_	sification has satisfied the procedural ile on this Action.
	held on Tuesday, Ma			y Chip Sahler at a regularly scheduled cussion therein, the following roll call
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	➤ AYE ➤ AYE ➤ AYE ➤ AYE ➤ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY	□ Abstained □ Abstained □ Abstained □ Abstained □ Abstained
	etary of the ZBA, do h Iinutes of the Cananda	•	•	the above resolution being acted upon 016 meeting.
Chervl Berry, Secreta	rv of the ZBA			

#### Town of Canandaigua 5440 Routes 5 & 20 West

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 # <u>CPN-008-1</u>	<u>6</u>		APPLICANT: I DRIVE	Passero Associates, 5251 Park	SIDE
	ced Action to be a Typ	_		nafter referred to as ZBA, has detented the State Environmental Quality	
	, BE IT RESOLVED that er SEQR and directs the		•	assification has satisfied the proefile on this Action.	ocedural
	BA held on Tuesday,	•		y Bob Hilliard at a regularly so iscussion therein, the following	
VOTING:	Bob Hilliard Dave Emery	ĭ AYE ĭ AYE	□ NAY □ NAY	☐Abstained ☐Abstained	
	Kelly LaVoie Chip Sahler	🗷 AYE 🗷 AYE	□ NAY □ NAY	☐Abstained ☐Abstained	
	ecretary of the ZBA, de Minutes of the Cana	•	•	of the above resolution being act, 2016 meeting.	ed upon
Cheryl Berry, Sec	retary of the ZBA				