

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ZONING BOARD OF APPEALS

Tuesday, April 15, 2014, 6:00 p.m.

MEETING AGENDA

MEETING CALLED BY:	Graham Smith, Chairperson
BOARD MEMBERS:	Gary Davis, Terence Robinson, Chip Sahler, Rick Szkapi
ALTERNATE MEMBER:	Roy Beecher
SECRETARY:	Cheryl Berry
STAFF MEMBERS:	Amanda Catalfamo, Development Office Christian Nadler, Attorney

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS:

- CPN-109-13 Venezia Associates, representing Randall Farnsworth, owner of property at 2310 & 2312 NYS Route 332, TM# 70.06-1-62.110 & 70.06-1-62.210, is requesting an area variance to construct a car dealership in the CC zoning district.
- CPN-012-14 Venezia Associates, representing Philip & Amanda Goliber, owners of property at 3414 Poplar Beach Road, TM#98.15-1-7.100, is requesting area variances to tear down and rebuild a single-family dwelling in the RLD zoning district.
- CPN-015-14 Ramsgard Architectural, representing Walter Turek, owner of property at 5051 County Road 16, TM#154.09-1-9.000, is requesting area variances to construct an addition to a single-family dwelling in the RLD zoning district.

NEW PUBLIC HEARINGS:

- CPN-017-14 Venezia Associates, representing Ronald & Jessica Billitier, owners of property at 3306 Fallbrook Park, TM#98.11-1-4.100, is requesting an area variance to place an exterior staircase on a single-family dwelling in the RLD zoning district.
- CPN-025-14 DLH Properties LLC, owner of property at 2450 County Road 28/**** County Road 28, TM#70.00-1-18.210/18.220, is requesting area variances to construct 32 apartment units (Candlewood Phase III) in the MR zoning district.

CLOSED PUBLIC HEARINGS: *None at this time*

BOARD BUSINESS:

1. Approval of March 18, 2014 Meeting Minutes
2. Review of Next Month's Agenda (May 20, 2014)
3. Requests for Rehearing: *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:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 012-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Philip & Amanda
Goliber
3413 Poplar Beach Road
Canandaigua, NY 14424

Project Type

Tear down,
rebuild single-
family
dwelling

Project Location

3414 Poplar Beach
Road

Tax Map #

98.15-1-7.100

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 tear down and rebuild a single family dwelling with a setback to the road right-of-way to Poplar Beach Road of 56 feet when 60 feet is required? Applicant is requesting a 4' area variance 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:

Terence Robinson
Rick Szkapi
Chip Sahler
Gary Davis
Graham Smith

AYE
 AYE
 AYE
 AYE
 AYE

NAY
 NAY
 NAY
 NAY
 NAY

Abstained
 Abstained
 Abstained
 Abstained
 Abstained

REASONS/CONDITIONS:

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 012-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Philip & Amanda
Goliber
3413 Poplar Beach Road
Canandaigua, NY 14424

Project Type

Tear down,
rebuild single-
family
dwelling

Project Location

3414 Poplar Beach
Road

Tax Map #

98.15-1-7.100

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 tear down and rebuild a single family dwelling with a left side setback of 4' when 12 feet is required? Applicant is requesting an 8' variance to the left side setback 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:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 012-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Philip & Amanda
Goliber
3413 Poplar Beach Road
Canandaigua, NY 14424

Project Type

Tear down,
rebuild single-
family
dwelling

Project Location

3414 Poplar Beach
Road

Tax Map #

98.15-1-7.100

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 tear down and rebuild a single family dwelling with a right side setback of 10.1' when 12 feet is required? Applicant is requesting an 1.9' variance to the right side setback 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:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 012-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Philip & Amanda
Goliber
3413 Poplar Beach Road
Canandaigua, NY 14424

Project Type

Tear down,
rebuild single-
family
dwelling

Project Location

3414 Poplar Beach
Road

Tax Map #

98.15-1-7.100

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 tear down and rebuild a single family dwelling with a 24.4% building coverage when only 15% is allowed? Applicant is requesting a 9.4% variance 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:

Terence Robinson
Rick Szkapi
Chip Sahler
Gary Davis
Graham Smith

AYE
 AYE
 AYE
 AYE
 AYE

NAY
 NAY
 NAY
 NAY
 NAY

Abstained
 Abstained
 Abstained
 Abstained
 Abstained

REASONS/CONDITIONS:

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

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Canandaigua, NY 14424
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Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 012-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Philip & Amanda
Goliber
3413 Poplar Beach Road
Canandaigua, NY 14424

Project Type

Tear down,
rebuild single-
family
dwelling

Project Location

3414 Poplar Beach
Road

Tax Map #

98.15-1-7.100

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 tear down and rebuild a single family dwelling with setback to the mean high water mark of Canandaigua Lake of 43' when 60' is required? Applicant is requesting a 17' area variance 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:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 015-14

Applicant

Ramsgard Architectural
Design
61 East Genesee Street
Skaneateles, NY 13152

Owner

Walter Turek
5051 County Road 16
Canandaigua, NY 14424

Project Type

Gazebo roof
on top of
boathouse

Project Location

5051 County Road 16

Tax Map #

154.09-1-9.000

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 boat house with a height of 23.7' when only 15' is allowed?
Applicant is requesting an 8.1' height variance in the RLD zoning district.

Unlisted

See Attached resolution(s)

Negative Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to:

See attached resolution(s)

Positive Declaration Date:

VOTING:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 015-14

Applicant

Ramsgard Architectural
Design
61 East Genesee Street
Skaneateles, NY 13152

Owner

Walter Turek
5051 County Road 16
Canandaigua, NY 14424

Project Type

Gazebo roof
on top of
boathouse

Project Location

5051 County Road 16

Tax Map #

154.09-1-9.000

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 single family dwelling with a height of 38.1' when only 15' is allowed? Applicant is requesting an 13.1' 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:

See attached resolution(s)

VOTING:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 017-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Ronald and Jessica
Billitier
28 Liberty Drive
Penfield, NY 14526

Project Type

Construct a 5-
ft diameter
exterior
staircase

Project Location

3306 Fallbrook Park

Tax Map #

98.11-1-4.100

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 exterior staircase with a right side setback of 7.9 feet when 12' is required? Applicant is requesting a 4.1' 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:
 See attached resolution(s)

VOTING:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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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Canandaigua, NY 14424
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Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 025-14

Applicant

DLH Candlewood LLC
41 Church Street
Cortland, NY 13045

Owner

DLH Candlewood LLC
14 Church Street
Cortland, NY 13045

Project Type

Construct 7-
bldg / 34 apt
units
(Candlewood
Phase III)

Project Location

2450 County Road 28

Tax Map #

70.00-1-18.210

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: _____ Shall the applicant be granted an area variance to construct an apartment building with a front setback of 13.1' when 75' is required? Applicant is requesting a 61.9' area variance in the MR 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:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 025-14

Applicant

DLH Candlewood LLC
41 Church Street
Cortland, NY 13045

Owner

DLH Candlewood LLC
14 Church Street
Cortland, NY 13045

Project Type

Construct 7-
bldg / 34 apt
units
(Candlewood
Phase III)

Project Location

2450 County Road 28

Tax Map #

70.00-1-18.210

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 for an existing apartment building with a rear setback of 27.5' when 50' is required? Applicant is requesting a 22.5 area variance in the MR zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to:
 See attached resolution(s)

VOTING:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: 025-14

Applicant

DLH Candlewood LLC
41 Church Street
Cortland, NY 13045

Owner

DLH Candlewood LLC
14 Church Street
Cortland, NY 13045

Project Type

Construct 7-
bldg / 34 apt
units
(Candlewood
Phase III)

Project Location

2450 County Road 28

Tax Map #

70.00-1-18.210

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: _____ Shall the applicant be granted an area variance to construct an apartment building with a minimal setback between buildings of 47.1' when 50' is required? Applicant is requesting a 2.9' area variance in the MR 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:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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: 2/18/2014

Meeting Date: 4/15/2014

Public Hearing Closed:

Project: *109-13

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Venezia Associates 5120 Laura Lane Canandaigua, NY 14424	Randy Farnsworth 2350 NYS Route 332 Canandaigua, NY 14424	Construct car dealership (Randall Farnsworth)	2310 & 2312 NYS Route 332	70.06-1-63.100

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a car dealership (Farnsworth Chevrolet) with a setback to the road right-of-way to Thomas Road of 8.7 feet when 100' are required? Applicant is requesting a 91.3' area variance in the CC 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:

Terence Robinson	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____