

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ZONING BOARD OF APPEALS

Tuesday, April 21, 2015, 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: Carol Ingle
SECRETARY: Cheryl Berry
STAFF MEMBERS: Amanda Catalfamo, Development Office
Douglas Finch, Director of Development
Christian Nadler, Attorney

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS: *None at this time*

NEW PUBLIC HEARINGS:

CPN-015-15 Grove Engineering, representing Joseph & Mary Bell, owners of property at 4865/4885 County Road 16, TM#140.18-1-8.111/8.112, is requesting an area variance to place a detached garage in the RLD zoning district.

CLOSED PUBLIC HEARINGS: *None at this time*

BOARD BUSINESS:

1. Approval of March 17, 2014 Meeting Minutes
2. Review of Next Month's Agenda (May 19, 2015)
3. Requests for Rehearing: *None at this time*

Town of Canandaigua

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Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened: 4/21/2015

Meeting Date: 4/21/2015

Public Hearing Closed: 4/21/2015

Project: 015-15

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Grove Engineering 8677 State Route 53 Naples, NY 14512	Joseph & Mary Bell 4885 County Road 16 Canandaigua, NY 14424	Re-locate detached garage	4865 County Road 16	140.18-1-8.111

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to relocate a detached garage in the front yard when detached garages are not allowed in front yards. An area variance is being requested 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:

Chip Sahler	<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
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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 3/13, 3/20, 4/1, 4/3, 4/15, and 4/20 as well as facts presented during the Public Hearing. The granting of this variance will not have an adverse effect on the property or neighborhood. This is a minimal variance to what is allowed by Town Code. Removal of one house will be an improvement to the property. Placement of the new detached garage is limited and cannot be located in the rear yard without damaging sensitive steep slope areas. The topography limits the potential sites for the proposed structure. The peak of the new structure will not be significantly taller than the existing house, and only be 7' above road elevation. Approval of the variance is contingent upon approval by the Planning Board and lot parcel combination. Septic system approval shall be given by George Barden, Canandaigua Lake Watershed, and the New York State Department of Health. This variance will be void if a building permit is not issued within one year. This variance is granted for the specific purpose of constructing the development as shown in applicant's most recently submitted site plan. Any deviation from said site plan will invalidate the variance.

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

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Canandaigua Zoning Board of Appeals Resolution

SEQR Resolution Determination of Significance – TYPE II Action

FILE # CPN-015-15

APPLICANT: GROVE ENGINEERING REPRESENTING JOSEPH AND MARY BELL,
4865 & 4885 COUNTY ROAD 16

WHEREAS, The Town of Canandaigua Zoning Board of Appeals, hereinafter referred to as ZBA, has determined the above referenced Action to be a Type II under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations;

NOW, THEREFORE, BE IT RESOLVED that the ZBA in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Terence Robinson and seconded by Chip Sahler at a regularly scheduled meeting of the ZBA held on Tuesday, April 21, 2015. Following discussion therein, the following roll call vote was taken and recorded:

<u>VOTING:</u>	Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	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
	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 April 21, 2015 meeting.

Cheryl Berry, Secretary of the ZBA

