

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ZONING BOARD OF APPEALS

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

MEETING AGENDA

MEETING CALLED BY: Graham Smith, Chairperson
BOARD MEMBERS: Gary Davis, Terence Robinson, Chip Sahler, One Vacancy
ALTERNATE MEMBER: Roy Beecher
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-037-14 Parrone Engineering, representing Christa Construction, owner of property on Parkside Drive, TM#70.11-1-31.000, is requesting an area variance to construct a 48-unit apartment complex in the MR zoning district.
- CPN-038-14 Scott Harter, representing Peter & Susan Schottland, owners of property at 4711 North Menteth Drive, TM#140.11-1-20.000, is requesting an area variance to place an accessory structure in the RLD zoning district.
- CPN-042-14 Karl & Barbara Fuge, owners of property at 4858 Bedford Drive, TM#97.04-1-38.000, are requesting an area variance to expand a pre-existing non-conformity in the R-1-20 zoning district.
- CPN-046-14 Melissa Batz, owner of property at 3415 Hopkins Road, TM#96.00-1-38.300, is requesting an area variance to place a confining shelter for housing chickens & furbearing animals in the AR-2 zoning district.
- CPN-049-14 Jeffrey & Erin Mortier, owners of property at 5215 Overlook Lane, TM#83.10-1-181.000, are requesting an area variance to construct a front porch addition in the PUD zoning district.

CLOSED PUBLIC HEARINGS: *None at this time*

BOARD BUSINESS:

1. Approval of June 17, 2014 Meeting Minutes
2. Review of Next Month's Agenda (August 19, 2014)
3. Requests for Rehearing: *None at this time*
4. Bayer-Schottland, CPN-108-13, revision of decision sheet dated 3/18/2014

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: 6/17/2014

Meeting Date: 6/17/2014

Public Hearing Closed: 6/17/2014

Project: 036-14

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Francis & Renna Killian 378 Gibson Street Canandaigua, NY 14424	Francis & Renna Killian 378 Gibson Street Canandaigua, NY 14424	Construct deck on front porch	3574 Otetiana Point	98.19-1-6.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a deck with a rear setback to Canandaigua Lake of 37' when 60' is required? Applicant is requesting a 23' 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:

See attached resolution(s)

VOTING:

Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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 neighbor, therefore the variance is granted. The Board's decision is based on information received May 16 and 22, and June 17, 2014 as well as facts presented during the Public Hearing. Only a small portion of the deck requires a variance as it sits at an angle to the lake. Most of the proposed deck complies with setbacks. The granting of this variance will not have an adverse effect on the property or neighborhood.

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-036-14

APPLICANT: FRANCIS & RENNA KILLIAN, 3574 OTETIANA POINT

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

WHEREAS, Type II Actions are not subject to further review under Part 617.

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 Chairperson Smith and seconded by Chip Sahler at a regularly scheduled meeting of the ZBA held on Tuesday, June 17, 2014. Following discussion therein, the following roll call vote was taken and recorded:

Roy Beecher	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Rick Szkapi	<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
Gary Davis	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Graham Smith	<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 June 17, 2014 meeting.

Cheryl Berry, Secretary of the ZBA