

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ZONING BOARD OF APPEALS

Tuesday, September 15, 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:

- CPN-037-15 Sarah Genecco, owner of property at 1880 NYS Route 332, TM#55.02-1-7.100, is requesting an area variance for a commercial addition in the CC zoning district (Flowers by Stella).
- CPN-041-15 Cheney & Blair LLP, representing Summit PPX 2911 LLC, owner of property at 3400 Poplar Beach Road, TM#98.15-1-1.100, is requesting an interpretation of four individual "Notice of Violation: Order to Remedy" issued by the code enforcement officer, dated April 20, 2015.

NEW PUBLIC HEARINGS:

- CPN-069-15 Venezia Associates, representing Farnsworth Chevrolet, owner of property at 2350 NYS Route 332, TM#70.06-1-63.100, is requesting an area variance to expand a pre-existing non-conformity (car dealership) in the CC zoning district.

CLOSED PUBLIC HEARINGS: *None at this time*

BOARD BUSINESS:

1. Approval of August 18, 2015 Meeting Minutes
2. Review of Next Month's Agenda (October 20, 2015)
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: 9/15/2015

Public Hearing Closed:

Project: 041-15

Applicant

Cheney & Blair LLP
40 South Main Street
Canandaigua, NY 14424

Owner

Summit PPX 2911, LP
216 Genesee Street
Chittenango, NY 13037

Project Type

Interpretation
of stop work
orders/CEO
Determination

Project Location

3400 Poplar Beach
Road

Tax Map #

98.15-1-1.100

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested:

SEQR:

Type I Type II

Unlisted

See Attached resolution(s)

APPLICANT REQUEST:

Granted Denied Continued to: October 20, 2015

See attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

VOTING:

David Emery

AYE

NAY

Abstained

Bob Hilliard

AYE

NAY

Abstained

Kelly LaVoie

AYE

NAY

Abstained

Chip Sahler

AYE

NAY

Abstained

Terence Robinson

AYE

NAY

Abstained

REASONS/CONDITIONS:

Certified By: _____

Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened:9/15/2015

Meeting Date: 9/15/2015

Public Hearing Closed:9/15/2015

Project: 069-15

<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	Randall Farnsworth 2350 NYS Route 332 Canandaigua, NY 14424	Commercial addition - Farnsworth Chevrolet	2350 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 expand a pre-existing non-conforming structure (car dealership) with a front setback to NYS Route 332 of 68.4' when 150' is required? Applicant is seeking an area variance of 81.6' for the front setback 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:

David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained
Carol Ingle	<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 August 14, 21, September 11, and 15, 2015 as well as facts presented during the Public Hearing. Expansion of this prior non-conformity is in the rear of the building. The rear setback is only 40'. With the expansion, there will still be 274.8' well within the required rear setbacks. The front setback is not encroaching any more than the existing structure. There will be no adverse impact on the neighborhood, as there are other buildings in the vicinity that have similar setbacks. Land behind latest development is vacant.

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-069-15

APPLICANT: VENEZIA ASSOC. REPRESENTING FARNSWORTH CHEVROLET,
2350 NYS ROUTE 332

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 Chairman Robinson and seconded by Dave Emery at a regularly scheduled meeting of the ZBA held on Tuesday, September 15, 2015. Following discussion therein, the following roll call vote was taken and recorded:

<u>VOTING:</u>	David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Bob Hilliard	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> Abstained
	Carol Ingle	<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 September 15, 2015 meeting.

Cheryl Berry, Secretary of the ZBA