

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

ZONING BOARD OF APPEALS

Tuesday, September 16, 2014, 6:00 p.m.

MEETING AGENDA

MEETING CALLED BY: Graham Smith, Chairperson
BOARD MEMBERS: Gary Davis, Kelly La Voie, Terence Robinson, Chip Sahler
ALTERNATE MEMBER: One Vacancy
SECRETARY: Cheryl Berry
STAFF MEMBERS: Amanda Catalfamo, Development Office
Douglas Finch, Director of Development
Christian Nadler, Attorney

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS:

- CPN-052-14 Richard Hribar, owner of property at 4332 Labrador Lane, TM#125.16-1-7.000, is requesting an area variance to construct an accessory building (pole barn) in the R-1-30 zoning district.
- CPN-055-14 Venezia Associates, representing Michael Spoleta, owner of property at 3448 Poplar Beach Road, TM#98.15-1-16.111, is requesting area variances to tear down and reconstruct a single-family dwelling in the RLD zoning district.

NEW PUBLIC HEARINGS:

- CPN-060-14 Tim & Kara Badger, owners of property at 5955 Short Road, TM#82.00-1-12.000, are requesting an area variance to construct a detached garage in the AR-2 zoning district.
- CPN-063-14 Venezia Associates, representing David & Kathleen Crosby, owners of property at 3372 Fallbrook Park, TM#98.11-1-29.000, is requesting an area variance to expand a pre-existing non-conformity (residential structure) in the RLD zoning district.

CLOSED PUBLIC HEARINGS: *None at this time*

BOARD BUSINESS:

1. Approval of August 19, 2014 Meeting Minutes
2. Review of Next Month's Agenda (October 21, 2014)
3. Requests for Rehearing: *None at this time*
4. Training with attorney Chris Nadler

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: 9/16/2014

Public Hearing Closed:

Project: 060-14

Applicant

Tim & Kara Badger
5955 Short Road
Canandaigua, NY 14424

Owner

Tim & Kara Badger
5955 Short Road
Canandaigua, NY 14424

Project Type

Construct
detached
garage

Project Location

5955 Short Road

Tax Map #

82.00-1-12.000

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 a detached garage with a right side setback of 4.4' when 20' is required? Applicant is requesting a 15.6' area variance in the AR-2 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
Kelly LaVoie	<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: 9/16/2014

Public Hearing Closed:

Project: 060-14

Applicant

Tim & Kara Badger
5955 Short Road
Canandaigua, NY 14424

Owner

Tim & Kara Badger
5955 Short Road
Canandaigua, NY 14424

Project Type

Construct
detached
garage

Project Location

5955 Short Road

Tax Map #

82.00-1-12.000

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 detached garage with a height of 20.8' when 16' is allowed?
Applicant is requesting a 4.8' area variance in the AR-2 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
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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: 9/16/2014

Public Hearing Closed:

Project: 063-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

David & Kathleen
Crosby
3372 Fallbrook Park
Canandaigua, NY 14424

Project Type

Construct
residential
addition /
addition to
garage

Project Location

3372 Fallbrook Park

Tax Map #

98.11-1-29.000

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 expand a pre-existing non-conformity 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
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Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Zoning Board of Appeals Decision Notification

Public Hearing Opened:

Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 052-14

Applicant

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Owner

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Project Type

Replacement
of non-
conforming
accessory
structure

Project Location

4332 Labrador Lane

Tax Map #

125.16-1-7.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an accessory building (pole barn) with a ride side setback of 5.6' when 15' is required? Applicant is requesting an 9.4' area variance to the right side setback in the R-1-30 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:

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Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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REASONS/CONDITIONS:

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Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 8/19/2014

Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 052-14

Applicant

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Owner

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Project Type

Replacement
of non-
conforming
accessory
structure

Project Location

4332 Labrador Lane

Tax Map #

125.16-1-7.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an accessory building (pole barn) with a ride side setback of 6.5' when 15' is required? Applicant is requesting an 8.5' area variance to the right side setback in the R-1-30 zoning district.

SEQR:

Type I Type II

Unlisted

See Attached resolution(s)

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Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 052-14

Applicant

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Owner

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Project Type

Replacement
of non-
conforming
accessory
structure

Project Location

4332 Labrador Lane

Tax Map #

125.16-1-7.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an accessory building (pole barn) with a height of 18' when only 16' is allowed? Applicant is requesting a 2' area variance to the height in the R-1-30 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:

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Applicant

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Owner

Richard Hribar
4332 Labrador Lane
Canandaigua, NY 14424

Project Type

Replacement
of non-
conforming
accessory
structure

Project Location

4332 Labrador Lane

Tax Map #

125.16-1-7.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct an accessory building (pole barn) with a ride side setback of 5.8' when 15' is required? Applicant is requesting a 9.2' area variance to the right side setback in the R-1-30 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:

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 8/19/2014

Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 055-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Michael Spoleta
7 Van Auker Street
Rochester, NY 14608

Project Type

Construct a
single-family
dwelling

Project Location

3448 Poplar Beach
Road

Tax Map #

98.15-1-16.110

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

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 of Poplar Beach Road of 56.8' when 60' is required? Applicant is requesting 3.2' 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Graham Smith	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

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Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 8/19/2014

Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 055-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Michael Spoleta
7 Van Auker Street
Rochester, NY 14608

Project Type

Construct a
single-family
dwelling

Project Location

3448 Poplar Beach
Road

Tax Map #

98.15-1-16.110

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with a rear setback to Canandaigua Lake of 13.2' when 60' is required? Applicant is requesting 46.8' 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Gary Davis	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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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: 8/19/2014

Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 055-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Michael Spoleta
7 Van Auker Street
Rochester, NY 14608

Project Type

Construct a
single-family
dwelling

Project Location

3448 Poplar Beach
Road

Tax Map #

98.15-1-16.110

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

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 mean high water mark of 13.2' when 25' is required? Applicant is requesting an 11.8' 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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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: 8/19/2014

Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 055-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Michael Spoleta
7 Van Auker Street
Rochester, NY 14608

Project Type

Construct a
single-family
dwelling

Project Location

3448 Poplar Beach
Road

Tax Map #

98.15-1-16.110

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

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 5.2' when 12' is required? Applicant is requesting a 6.8' 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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REASONS/CONDITIONS:

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 8/19/2014

Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 055-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Michael Spoleta
7 Van Auker Street
Rochester, NY 14608

Project Type

Construct a
single-family
dwelling

Project Location

3448 Poplar Beach
Road

Tax Map #

98.15-1-16.110

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

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 5' when 12' is required? Applicant is requesting a 7' 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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REASONS/CONDITIONS:

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

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Zoning Board of Appeals Decision Notification

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Meeting Date: 9/16/2014

Public Hearing Closed:

Project: 055-14

Applicant

Venezia Associates
5120 Laura Lane
Canandaigua, NY 14424

Owner

Michael Spoleta
7 Van Auker Street
Rochester, NY 14608

Project Type

Construct a
single-family
dwelling

Project Location

3448 Poplar Beach
Road

Tax Map #

98.15-1-16.110

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing

Variance/Interpretation Requested: Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with lot coverage of 26% when no more than 15% is allowed? Applicant is requesting an 11% variance to the lot coverage 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
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Graham Smith	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____