



distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO). 3. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Inspector or the Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and placement of on-site septic. 4. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

CLCSD Comments: 1. Renovation permit will be required. 2. Drawings to be submitted for review and approval.

OCDPW Comment: 1. The applicant (owner of record) is required to obtain a highway work permit for any proposed work within a County highway right-of-way and shall pay all necessary fees & comply with all permit conditions and restrictions. Highway work permit forms can be found on Ontario County website at <https://www.co.ontario.ny.us/1260/highway-work-permits>. In addition, the Applicant's contractors will also be required to provide insurance per attached insurance schedule; proof of Worker's Comp & Disability insurance must be on appropriate forms, we cannot accept on ACORD form.

Mr. Lonsberry opened the public hearing and the notice as it appeared in the official newspaper of the town was read.

James & Kristine Canessa was present and presented their application to the board.

Mr. Canessa stated that they were in front of this board back in February and March and the proposal failed. They are now back with some revisions.

Mr. & Mrs. Canessa presented a handout to the board and the public. Mr. Canessa explained each page of the handout. This will be kept with the file.

Mr. Canessa-"On the first page you can see the first column the existing structure footprint which is the house, garage, deck, patio were 1,534 square feet. We originally came in in February with a proposal for a two-car side loading garage. We then in March changed it to a front loading two-car garage and today now we're coming in instead of a two-car garage we've dropped it down to a one-car front loading garage. You can see in the far right column a total square feet of the structure 1,895 square feet which represents a 23.5% increase from existing. Slide two talks about lot coverage ratios. Right now we've got a fairly high exiting lot coverage ratio of 45.2% far

right column what we're proposing today is to bring that all the way down to 37.6%. The third slide the variances that we're asking for north side yard, south side yard and lot coverage. So we have three variances that we're asking for. You can also see at the bottom we do not need a front or back variance and we do not need a height variance. It is just the three at the top we are asking for. Slide four now the rest of these slides you're going to go through what I understand to be the five factors that you as a board have to consider when making your determination. The first one here is what's the impact on neighboring properties. We are moving the house back away from the lake 4.8 feet so we are improving the views of both our southern and northern neighbors by doing so. We are improving the side yard setback with our northern neighbor. The proposed setback is 5 feet it is currently at 2.9 feet. The northern neighbors property is quite away from us. It's 168 feet away from us. The third bullet point because we are moving the house away from the northern boundary the minimum that it can be 5 feet that means that we are moving the house towards the southern property by 15 ½ inches. So we're proposing a setback of 10 feet vs. the existing of 11.3 feet. Our southern neighbors their residence is 14 feet away from the property line. Fourth bullet point we don't see any adverse drainage for any of our neighbors. No adverse access to the sun for neighbors. Second to last bullet point, we're maintaining green space between our southern neighbors and our house which is a span of 24 feet of grass between the two structures. The last point on this page the home is going to be within the 22 foot height limitation as I said before. And from the crown of County Road 11 it will only be 13 feet high from that standpoint. Page 5 shows an aerial drone shot the existing property with an overlay of what the proposal looks like. And you can see if you go starting from the lakeside you can see that the house is being pulled back considerably from where the deck is. You can see that the house structure itself is being pulled back as well. And for the most part what's consuming the driveway is the one car garage. Essentially the same function. Be it just asphalt there's going to be a car there or with a garage there's a car there. There was a lot of discussion I think at the last meeting in March about how well this new project is going to fit in the neighborhood. With some people expressing concern as to whether or not it would fit or uncertainties. So I took it upon myself to essentially benchmark my new house to all of our residences.

So I took the 40 surrounding houses 20 north and 20 south and went through several very objective criteria to see how we match with it. Of those 40 houses 22 homes have narrow lake frontage. Narrow meaning the lake frontage is 33 to 55 feet wide. My house is 45 feet wide and sets right in the middle there. Of those 22 homes that have narrow lake frontage 4 of those homes have square footage 2500 to 2800 square feet. My proposed house is less than any of those 4. There are 23 two-story homes surrounding me. Of those 23 homes 10 have narrow lake frontage of 33 to 55 feet. And of those 23 two-story homes 14 of them set next to a single story house. There are 23 homes around me that have garages. Of those 23 homes 12 set on narrow lake frontage. And then lastly 12 of the homes around me were built on or after 2000 with 9 of those homes sitting next to very old homes that were built on or before 1950. Next page goes to factor two whether there are feasible alternatives. I don't see any feasible alternatives with regards to construction. We've got a 45 foot wide property. If you comply with the 15 foot side setbacks it leaves you with a building envelope that is only 15 feet wide. It's just not even feasible. So that is why we're here seeking variances. Slide 8, There was also a great deal of discussion, I remember several board members commenting that they just simply thought that the house was too big for the property. So I wanted to evaluate if that could be demonstrated is that true or are there actually examples where there are properties that are similar to us that have been approved. I found two examples. The first one is the Ketchum's house on 4056 State Rt 364. This body granted variances on March 18, 2021. If you do a side by side comparison you look at what we got here I thought that the comparisons were striking. The lake frontage for this property they have 47.4 feet I have 45 feet. The depth of their property is 153 I'm 152. The square footage that they were allowed to build is 2556. I'm only asking for 2389 square feet. They have a two-story house and they have a garage. Same as I'm asking. If you look at the variances that they achieved the lot coverage variance that they were granted was 50.4%. I'm only asking for 37.6%. And then the north and south side variances I thought were incredibly similar. Essentially both properties are asking for 10 feet and both properties are asking for 5 feet. This property was approved. The next page another property that is near me the Lanning's at 5102 County Road 11. This property was granted variances on June 15, 2017. Again very comparable stats. If you look at the lake frontage they're 50 feet wide I'm 45 and you go down you

can see the square feet two stories and garage very similar. Again look at the variances they achieved. They got a lot coverage variance of 37.9% nearly identical to 37.6% that I'm asking for. And the north and south side variance too similar. This was unanimously approved by this body. Slide 10, I want to put the variance request in context of what it is that you are really talking about. So the first column is the existing size of the structure the footprint that we have 1,534 square feet. The proposed building excluding the garage just the residence is 1,590 square feet it's only 3.7% bigger. The house is essentially identical to what's already there from a footprint standpoint. The third column represents the one-car attached garage that adds an additional 305 square feet that brings us to the full 1,895 square feet. It seems to me from what I've discerned from the February and March meeting really what this is about is the garage. We got a one-car garage there that's what we're asking for. Slide 11, there also were concerns expressed by several of you about the ability to pull out of the driveway onto County Road 11. We've addressed that here you can see that we have the driveway and then we have a parking turnout area that is off of the road. It gives you ample area to perform a turn view the road and then pull out onto County Road 11 safely. Slide 12, this is the fourth factor. I believe that this is a positive impact on the environment. As it sets right now the existing property as we've said is 45.2% lot coverage. We're going to bring it down to 37.6%. That is a benefit to the lake. We're going to have rooftop runoff capture, drainage swale off the driveway, rain gardens to mitigate storm water and we are going to replace a crumbling seawall. These are all benefits to the lake that are going to mitigate the storm water that's going in from our property. And 13 this is the fifth factor. Is it self-created? Yes I'm the one that is here asking for the variances. So yes it's self-created but as I understand it the fifth factor is not dispositive just because it's self-created does not mean that this fails. It really should rest on the other four factors. I hope that everyone here will agree with me that there is substantial evidence here showing that this is a beneficial property. It's going to help the lake out enhance the community and is something that I hope will be approved."

Mr. Lonsberry stated that he appreciates all of this information. "There is just one thing I have to say. We don't take into consideration other properties and other variances that have been granted to the properties.

We look at this particular property and make a judgement on it not compared to other properties within the community."

Mr. Lonsberry stated that you have reduced the square footage from 2,000 to 1,895 and it appears that the reduction was going from a two-car garage to a one-car garage.

Mr. Canessa explain that when it was 2,000 square feet it was a side loading garage and now they have gone to a front loading and reduced it down to a one-car garage. That is the primary area where the reduction is coming from.

Mr. Lonsberry stated, "so you have not modified the footprint or the layout of the house in any way to try to reduce the size of the house."

Mr. Canessa stated that you will find that the northern measurement of the property is the same 68 feet 4 inches and the width of the property is the same 28 feet 8 inches. Those have remained unchanged. There has been minor adjustments elsewhere in the building.

Mr. Lonsberry stated that they have not made any attempt to reduce the footprint of the building.

Mr. Canessa stated that they had in their prior adjustments. Originally they were hoping to have something that was much greater than 28 feet. He explained that he is moving the building from the northern property line by two feet. So they are losing two feet on the north and moving to the southern neighbor by 15 inches so am at a net loss by a single foot on width standpoint.

Mr. Bishop asked what the area is that they are using to safely get out onto County Road 11.

Mr. Canessa stated that that area is not part of their property. It is outside of their lot coverage area.

Mr. Lonsberry stated that is part of the County Road right of way the shoulder of the road.

Mr. Morris asked if the County Highway Superintendent would have to approve the change in the road right of way.

As stated in the Ontario County Planning comments they will need to file for a permit from the County Highway.

Mr. Canessa stated as shown on slide 5 of the handout there is grass between the apron of County Road 11 and the area that they are proposing to make nicer but if they are not able to it will just be grass which is perfectly drivable.

Mr. Lonsberry asked if there were any comments from the public.

Karen Lejman-"I am the owner of 4992 which is just south of the Canessa's. I would like to elaborate on several concerns about the proposal. Side setbacks north and south I question the

Canessa's why the setbacks were changed back to the original proposal. They understood it was a fire code requirement to have at least 5 foot setbacks. Per Jim Morse, he was not aware of any such requirement. Setbacks should remain in place as they are so as not to negatively impact my property. Regarding the lot area coverage. This proposal in my opinion as stated in previous meetings should be treated as a new build on vacant land. Comparisons to old lot coverage ratios in my opinion are irrelevant. The lot area coverage proposal of 37.5% which is 1.5 times the recommended 25%. That's a 50% increase. This impacts my property in several ways. First, I will be looking at a two-story wall extending from front to back of my property, about twice the length of the current cottage. The new structure is twice as long and twice as high. Driveway, decks and patios are being replaced with a huge 2-story structure resulting in a very different view from my property. Second, the application states the house is 4 feet back from the front edge of the existing deck. However, the existing deck is about 8 feet wide. So that means the house will be four feet closer to the lake than the existing cottage and will be two stories high instead of one. This impacts my view of the lake to the north. Finally, as I previously stated, the house is designed to exploit as much of the lot as possible by constructing a building as close as possible to the 30' setbacks on the lake and street sides and utilizing existing setbacks on the north and south side. Bottom line this structure is still massive for this small lot. At this stage, it is counterproductive for all of us including board members, applicants, and neighbors to keep meeting and discussing small tweaks to the plans. In my opinion, there are two options here. The owners need to make substantial changes, not tweaks, to the plans to keep to 25% lot area coverage, similar to how the property at 4998 was designed. Or if the applicants really need 3,000 square feet of house with basement, they need to find another lot that is suitable for this size of structure. This lot was not intended for a house of this magnitude. Thank you for your consideration of these points and I would like give Sue a copy to put in your documentation."

Lee Edgcomb-"My wife Wanda and I live at 4998, 5 doors south of Jim & Kris. Please note that we don't know Jim & Kris personally other than to say hello at the street a couple of times. Our critique is solely about this project. After reviewing many of the submissions from our other neighbors who raise many appropriate technical questions with which we agree, we've decided to approach this from an aesthetic point of view.

I'll go right to the Zoning code book Lakefront Overlay District code starts with this sentence: The intent of the lakefront overlay is to protect the water quality and scenic beauty of Canandaigua Lake as well as the overall design, unique character, and configuration of existing lakefront neighborhoods and properties by regulating the development of row property. The third sentence states: Where new construction or significant rehabilitations are proposed in the overlay district, the existing density and scale of the overall development should be maintained to ensure compatibility with adjacent properties. And the character of the lakefront is sustained. If this is truly the townships goal and I believe it is then I think the Canessa proposal fails. The Canessa's are attempting to stretch every rule and seek multiple variances to shoehorn a suburban Florida style Townhome into a postage sized piece of lakefront. Let's talk about the neighborhood and the sheer scale, 37.6% coverage. When you drive down County Road 11 in this area you can see much of it was divided into dozens of 50 foot lots. Over time, lots were combined and shaved and the result is a mix of small 50' +/- lots for camps and cottages many of which are seasonal, and a host of full-sized homes where lots have been combined into 100' +/- properties. A perfect example of this dynamic is that the Canessa cottage itself is in a camp neighborhood where it and the immediate four neighbors four neighbors to the south all have approximately 50' lots and small camps. And just to the north is an example of a full-sized home on an appropriately larger lot. The next issue is style. We all can see homes which were constructed taking advantage of the rulebook to put as much living space on a property has allowed. And I emphasize the word allowed because after all it is America and the rules are here to help do the right thing for everybody. But this proposal doesn't even try to fit in. It is an over the top, hardline attempt to stuff a Farmington style townhome into the space where their cottage sits. And I notice they keep referring to a building their future home. This building is simply not appropriate for a 45-foot lakefront. This proposal would be more suitable to places like Nibawauka Beach or Otetiana Point. I drove up there just to check the neighborhood. I knew the houses were two-story homes close together and I wanted to see what they were really like. Even these which were clearly rectangular footprint solutions to maximize living space had more side setbacks than this proposal seeks. Although Jim has proven that there are a lot exceptions to that. And the garages are on the other side of the street due to the limited space available.

And I looked up the square footage of the houses on Nibawauka Beach which are very similar and they come up at 1900, 1700, 1900, 1900, 1900, 2100 and I know the bigger lots a couple of 2500 and 2700. By looking at the footages I said that neighborhood our neighborhood is exactly like that. So I repeat, the intent of the lakefront overlay is to protect the water quality and scenic beauty of Canandaigua Lake as well as the overall design, unique character, and configuration of existing lakefront neighborhoods and properties. And the new construction and significant rehabilitations should be maintained to ensure compatibility with adjacent properties and the character of the lakefront is sustained. In conclusion, I submit this plan is 1) out of scale and 2) out of compatibility with the neighbors and 3) is out of character with the lakefront. That's three strikes. I think the house needs something like 2/3rds the size and closer to 25% coverage. It is 25% coverage for a reason."

Paula Cianca-"I'm related to the owner of 4992. All the boarding neighbors to this property are opposed to the plan plus other residents in the immediate neighborhood. We haven't heard of one resident that is for it and the reason basically is cause of its size. The applicants have to make some sacrifices. You can't build a large over 3000 square foot suburban home to the lake when you only have 45 feet of lake frontage. And the third thing is the driveway space for parking we see will be a problem with a house this size on a small lot. What we notice on the lake road and residents expanding parking by putting in pavers in the easement areas."

Louis Cianca questioned the calculations of the square footage of the proposed house. He also expressed concern that the proposed home will affect a number of mature trees by trimming or root damage from construction.

Robert Brancato-"Like Karen said when your taking a structure down the lot coverage then should be 25%. I think we're playing numbers when we keep saying that he's reducing lot coverage. It should be he's really looking to increase lot coverage from 25% to 37%. So that is what we should be looking at, not what he is reducing. The second point and this is right off his page on page 10 it talks about the existing coverage was 1,534 square feet that included everything that was on that property. Pavers, deck, pavement those types of things. He's replacing it with a building that's 1,895 square feet. So we're going from a small little building that's on this property to something that is twice as much as it is. The other concern that I have is the original map on ONCOR list the property depth as

130 and 142 on either side. I'm not quite sure why that survey that was submitted at that point in time. I don't know where he was able to get an extra 7 or 8 feet on either side of that property in regard to it but that's a concern I have. Because again that was an official survey and was in the County records in 2018. So that is a very important point. The other concern I have and you've seen this all up and down the road when you're looking at building a structure like this where is all the stuff going to be going and how is the road going to be impacted? We've had building being done on that road where they have just taken over one of the lanes of the road for a long period of time and made it very hazardous. So they're going to be staging and removing the building and then bringing in staging the building of this where is everybody going to be parking? Where is the... going to be stored? How is this going to be moved around for the safety of our people, neighbors and road? This lot is just too small. I think one of the points that Karen made is that if they would like a home like this find a lot that is appropriate for that size. Otherwise just remodel what they have there and enjoy it as a nice summer cottage."

Mr. Morris explained to the public and the board that the survey that Mr. Brancato found on ONCOR did not go all the way to the lake. It went to stakes that were 8 feet back from the lake. That is why the dimensions are different on the surveys.

Karen Lejman-"There are inconsistencies or discrepancies in the numbers that are presented. For example, this 1534 on page 1 of the handout includes driveway, patio and decks. Its not just the house. But then they are comparing it to just the house structure, the heated part of the house. That's one example. If you're trying to compare it ought to be apples to apples. The other one that I wanted to point out is Graham's property. The application says that they're 168 feet from the Grahams. The Grahams claim that they are 132 feet. So there's another inconsistency. It's kind of hard to evaluate and compare things when the numbers keep changing. And every time we come to one of these meetings numbers have been changed.

Mr. Morris explained that on the survey for lot coverage existing shows house, deck and patios 1534 under that it shows asphalt driveway at 1050 square feet.

Mr. Canessa-"That's on slide one which you're referring to all of those columns are apples to apples. Everything on there is the same. There is no driveway being counted in any of those columns. That's why it says footprint of the structure. What does the structure mean? It means the house, a garage if it has one, a deck if it has it and a patio if it has it.

All of those columns are apples to apples comparison. We're not playing with the numbers. We're trying to make this easier for everybody by putting all the numbers up there in front so that everyone can evaluate it as they see fit."

Mr. Lonsberry stated that they do have to include the driveway in the lot coverage.

Mr. Canessa stated that he does that on slide two. "Slide two shows the lot coverage ratio. If you want to look and follow along. At the bottom of the column 2908 square feet that's the whole hard surface of my property. Far right column shows that I'm reducing it down to 2420 square feet. That's a 16.8% reduction. That is a benefit, if I do nothing this property is going to continue to be at 45.2%. Only if I'm allowed to do this project will the community and the lake benefit from the reduced lot coverage ratio. I've gone to great efforts in putting this together to make sure that everything is a fair comparison, that the math is tight. I've hired myself an architect, a surveyor that is where all these numbers are from. People like to challenge the numbers. They try to suggest that there is something wrong with these but no one has pointed out my mathematical errors. They are just suggesting."

Mr. Amato questioned if Mr. Canessa is contending that patio and deck is the same as a two-story structure.

Mr. Canessa-"Here is the issue when making a comparison. So right now I've got a house that has a deck and a patio. And in the first meeting or so some people wanted to compare the 981 square foot of just the house and ignore the deck and compare it to the new building, my new house which has a lanai. So I thought it was completely unfair to include the lanai but exclude the deck."

Mr. Amato asked if he was saying that the deck is the same as a lanai.

Mr. Canessa stated essentially yes.

Mr. Amato stated that he should then make the lanai a deck. "Take the structure away from above it and just do with a deck there."

Mr. Canessa stated that it would still be a hard surface and still counts toward lot coverage.

Mr. Amato stated that for him that would mean a lot towards a much smaller building.

Mr. Bishop-"For the people that have commented and you have described what you say is the neighborhood. Please describe to me what you think the neighborhood is. Is it 5 houses on either side? Is it ten houses on either side? Is it on the other side of

the road? Please tell me what the neighborhood is. I want to know the definition of what your neighborhood is."

Mr. Brancato stated the whole lake.

Mr. Bishop stated so it's every home on Canandaigua Lake?

Mr. Edgecomb stated that he believes that it is from Pelican point to where Bear Road comes out.

Mr. Canessa stated that area is about 3 miles in length. That is a lot of different types of houses. "When I went through showing what I considered the neighborhood just plus or minus 20 houses it's a short walk north and a short walk south. I already show that I my house fits within those and if you expand it to everything on County Road 11 there are numerous examples that are just like my house."

Mr. Brancato-"Can I raise a question with regards to page 6. He compares 33 feet to 55 feet range in his comparison in all these different areas. The first one he has 4 of the them having square footage ranging from whatever. Now the question that I would be interested to run the same research from 33 to 45 lake front. And then see how these numbers match up. Are those 4 homes that you say are they the 45 to 55 range? Lumping them altogether there may not be any in that 33 to 45 range or homes that have that square footage. I also want to go back to what the Chair here said, it's not comparison to things that have been passed. Some of those were mistakes in the past. They shouldn't have been done but they were. So we don't just keep building off of the mistakes that we have in the past and continue to approve these types of homes. We have zoning, you're tearing down a house you have 25% toward lot coverage. You're asking for 12% larger lot coverage than is allowed. Why don't you come back with a building and start from that end? Start at 25% lot coverage and then maybe we can have some discussion in the community, whatever our community is, what is realistic to be putting on 45 foot frontage of a lot. It's too big. It's as simple as that."

Several letters were received in the Zoning Office from neighbors expressing their concerns with the project. Most from whom are at the meeting. One letter that was received from Charles & Donna Graham was read. All the letters will be kept in the file.

Mr. Lonsberry asked Mr. Canessa if the new home was going to be a year around residence.

Mr. Canessa stated yes it is going to be their full time residence.

Chuck Smith-"I'm the architect working with Jim. Just wanted to clarify a couple of things that were stated by the public. So a 5 foot setback is a recommendation.

If you're not back 5 feet you got to make that wall of the building fireproof and you're limited to the amount of openings. So 5 feet is a real number based on building code. It's actually the overhang that is at 5 feet and the wall outside of the 5 feet. The two-story part of the house there was a statement that the house is being built to the 30 foot setback front to back and that is not true. The setback from the street is 32 inches from the setback and at the lake the lanai is 3.6 feet outside of the 30 foot setback and the two-story part of the house is 12 foot back from the 30 foot setback. There was a lot of discussion about height and we are not asking for a height variance. We're allowed to build a 22 foot structure. One other thing I want to point out about the 25% lot coverage is because it includes driveway unless all you do is take a parking space just inside of the right of way for one car if you try to drive into the property only like 50 feet you've automatically taken up 10% of your lot area coverage just for a 10 foot wide driveway. So now you're down to 15% for a structure. So it is not that easy. Everyone's saying make it 25% but it's not that easy. The other issue is that the public doesn't understand this perhaps but lot area coverage also includes roof overhangs. And in our case we have a minimum of roof overhangs. I wish we could have more so that the house would be more handsome. We only have 6 inches of overhangs that takes up 1% lot area coverage. That is not something that the Canessas are benefiting from. It makes it very difficult to shed water with a 6 inch overhang. If you were to do a bigger overhang and make a nicer house that has a cottage feel that everyone is talking about now you're using 3% of lot area coverage for a nice big roof overhang. So again 25% is tough to get to. The house itself the footprint of the house not counting roof overhangs, the garage, the driveway right now is 19.% that is 1277 square foot footprint. It is two-stories but that is the footprint of the house. So it is not that big. That takes up plus or minus 20%. So if you add a porch off of that a patio a front porch a roof over your door a sidewalk to where you are parking you know where I am going with this. 25% is super difficult. So that's my point on 25%"

Mr. Edgcomb-"We are 5 doors down. We went through this experience 8 years ago. It was all about the walkway the size it was going to be. And whether to choose to have 6 inch gutters or 12 inch soffits and we made those choices. And you can see it all up and down the neighborhood that those choices were made. Some of the soffits are real small or non-existent and some of them are more aesthetical.

It really doesn't matter to me but this is a big house on a small property. I went to the neighbors house and we walked the length of what this property is going to be and I'm standing where it's going to be two-stories high."

Mr. Lonsberry asked if there were any more comments. Hearing none, the public hearing was closed.

Mr. Amato stated that when he first got this set of plans he said that nothing had changed except for the orientation of the garage. The way he sees it the house is 65% as wide as the property. He explained that he thinks a 24 foot wide house is the maximum that he would be comfortable in granting.

Mr. Bishop thinks that what most people are concerned about as far as size is that it is going to have a second story. He thinks they did a good job with the garage and cutting that down. They are not asking for a variance for height.

Mr. Amato stated that the house is massive based on total volume of building.

Mr. Bishop asked Mr. Amato if it was one story would it be better.

Mr. Amato stated that since they are asking for a variance they have to take into account the totality of what they are asking for. "So if they were asking for no variance on the north side and it was one story that would be ok. Or a 10 foot variance on one side and it was one story it would be great. It's a huge edifice on that one side. That's my take on it."

Mr. Bishop stated, "And going back to what the neighborhood is. There's all of Canandaigua Lake and that's crazy. But if it's the Town of Gorham there are a lot of examples that are positive and a lot of examples to the negative but just considering the neighborhood as the 4 or 5 houses to the south I don't think that's a good example of a neighborhood so in my opinion I think they have done a lot of work to try to get this palatable for the neighborhood."

Mr. Morris stated, "I commend them on reducing the house as much as they did. There could be room for more like Tom said a 24' wide house would be more comfortable for me and having the lanai extend no closer than what the existing house is. Shorten up the lanai by about 2 to 3 feet so that the actual building structure is no closer than what the existing structure is. I would feel a lot better about granting variances."

Mr. Goodwin stated, "We have lived in Canandaigua since 1990 and I've seen a lot of houses. There's a lot of 50 foot lots on Canandaigua Lake. You don't see to many that are over 2000, 2200, 2300 feet.

I think more than that you're really pushing the limit. I know you're in a really difficult situation because the lots are the size that they are. I think what you're proposing I think is to much house from my point of view. I commend what you've done to try to move it down in certain areas but I still think it is just too much house in my opinion."

Mr. Lonsberry stated, "I tend to agree with the other comments that the board is making. I think the house could be reduced in size. It could be reduced in width. I would like to see you go back and try to reduce the size of this house if at all possible."

Chuck Smith asked the Chairman if he would poll the board to see how important lot coverage is verses size of the house.

Mr. Lonsberry stated that he was not going to poll the board for anything.

After discussing the application and reviewing the questions on the back of the application the following motion [attached hereto] was made: Mr. Amato made a motion to deny the application. Mr. Goodwin seconded the motion. Roll Call was read with Amato, Goodwin, Lonsberry & Morris voting AYE and Bishop voting NAY.

Application #23-135, George West, owner of property at 4476 State Rt 247, requests an area variance to build a residential additions and garage. Proposed additions and garage do not meet the front yard setback.

Mr. Lonsberry opened the public hearing and the notice as it appeared in the official newspaper of the town was read.

George West and Richard Krapf, Architect was present and presented his application to the board.

Mr. Krapf stated that the survey shows that the proposed does not meet the front yard setback. The additions on the house can't go back any further because of the way the existing house is and the connection between the existing home and addition.

Mr. Amato brought to the attention of everyone present that the Table on the survey shows that the application will also require a variance for lot coverage. The required lot coverage is no more than 30% and the proposed lot coverage listed in the Table is 37.4%.

Mr. Krapf stated that he thought that as well but the surveyor did not point that out. He believes that they also need a variance for lot coverage as well.

Mr. Bishop stated that typically when they have to consider lot coverage they need to know how the lot coverage is figured. A breakdown of how it is figured.

Mr. Lonsberry stated that the board will need accurate information before any decision can be made on an application.

Mr. Morris stated that they also need to show the eaves and show that they are also calculated in the lot coverage calculations.

Mr. Amato stated that he would like to see elevations of what the home is going to look like.

Mr. Krapf asked why does the setback go to the eaves in this town but in other towns it goes to the building line.

He was told that every town has their own regulations.

Mr. Morse, Code Enforcement Officer stated that once this gets to the Planning Board they are not going to allow for two driveways. Only one driveway is allowed per parcel.

Mr. Morris asked where the septic system is going to be located.

Mr. Krapf stated that the septic is still being designed.

Mr. Lonsberry asked if there were any comments from the public.

The neighbor to the south stated that he is concerned about the property line. He has a survey of his property that was done in 2002 showing a marker and that marker has been removed and new stakes put in about 3 ½ feet into their property. Trees have been removed and those trees and bushes have been pushed into their property.

Mr. Lonsberry stated that is something that he will have to resolve with Mr. West.

The neighbor to the south also asked if the proposed home was going to move closer to his property. And he asked which driveway would be removed the one near their property or the new one that was just put in.

Mr. West stated that he did have a survey recently done.

Mr. Krapf stated that when he talks to the engineer about getting a breakdown on the lot coverage he will also ask about the survey. He took a photo of the neighbor's survey and will discuss this with their surveyor.

Mr. Morris stated that according to the plans presented it does appear that the home will be closer to the neighbor's property.

Mr. Amato made a motion to adjourn the public hearing till a corrected application is submitted with the breakdown calculation of lot coverage. Mr. Bishop second the motion which carried unanimously.

Mr. Amato made a motion to adjourn the meeting at 8:39PM. Mr. Bishop seconded the motion which carried unanimously.

---

Victor Lonsberry, Vice Chairman

---

Sue Yarger, Secretary