



largely obscure the new windows behind.

Chairman Taylor said the project looks good, but he only wishes that they had returned to the board sooner to seek approval.

Mr. Parlato said that they have tried to restore the exterior of this home to its historic appearance. He said they did not have a solution sooner and that the windows needed to be replaced immediately due to the winter cold. Mr. Parlato said that he originally suggested sitting down with the board informally to discuss the process to build in more flexibility.

Chairman Taylor said the board could not have informal meetings. All discussion must be at a public meeting.

Mr. Parlato said the current process is not practical for individual projects, especially those on the edge of the district. He said that the standards referenced by the code are not practical and it should be reconsidered by the City Council. He said that window replacements should be considered “routine maintenance” and not subject to review.

Commissioner Turchetti said that when a homeowner purchases a property, they accept the responsibility to maintain it in accordance with the local laws.

Commissioner Manley reflected on the purpose of the Planning Commission to “make Canandaigua a better place”. He believes this restoration has done that. He said the windows are high quality and do not jump out as being inappropriate. He said that he served on the board from 2000-2007 and during that time, vinyl windows were routinely approved. He said in summary, that he is not happy with how this project got to where it is, but that he’s satisfied with the results.

Commissioner Hitchcock agreed. He said the applicant has conveniently ignored rules they didn’t want to follow, but in general, he agrees that the restoration has been a success.

Commissioner Dorschel said that it doesn’t matter that the property is towards the edge of the district, it is still subject to review. She said the board had not seen any evidence that the windows could not be restored.

Vice Chair Beyer agreed that the renovation has been significant and the windows do look good. However, others have followed the rules and been held to the standards. Here, we’re doing it backwards. She believes this sets a very bad precedent.

Mr. Parlato asked if the board would have approved what is there now, if it was presented originally.

Commissioner Turchetti said that he doesn’t know if he would; he didn’t get to see the condition of the original windows and they didn’t see the windows that were proposed.

Mr. Parlato said the cost differential between wooden and vinyl replacements was extreme—two to three times as much per window.

Commissioner Manley moved that the Planning Commission Approve the application as submitted and presented, finding that the windows are consistent with others in the neighborhood and provide an improvement to the city as a whole. Commissioner Hitchcock seconded the motion. Chairman Taylor opened the floor to discussion.

Commissioner Turchetti said the proper procedure was not followed and he was concerned with the precedent.

Commissioner Hitchcock agreed, but said that the addition of the wooden storm windows makes a significant difference and is a reasonable compromise.

Vice Chair Beyer said that there is still the lack of evidence regarding the condition of the original windows. Could the applicant provide pictures of the windows before they were removed? Mr. McGowen said that they had some photos of the original windows.

Commissioner Turchetti asked for a spec sheet of the windows that were used. Mr. Parlato said he could provide that.

Commissioner Manley withdrew his original motion to approve.

Commissioner Manley moved that the Planning Commission Table the application to allow the applicant time to provide photographic evidence indicating that repair of the windows was not practical and also to provide spec sheets for the replacement windows selected.

Commissioner Hitchcock seconded the motion, which carried with a unanimous voice vote (6-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 02    Application #22-289: 355 North Main Street, ZACH LETTA, for a Historic Alteration to replace porch columns. (Tabled from September 14, 2022)**

Commissioner Turchetti moved to lift the application from the table. Vice Chair Beyer seconded the motion that was carried by a unanimous vote.

Zach Letta presented the application. He submitted photos of columns that he proposes to use. He said the columns are wooden, but that these have a fiberglass base and hoped that this would be acceptable.

Chairman Taylor confirmed that the columns and the base would be painted to match.

Chairman Taylor asked if the handrail on the steps would match the original hand rail on the porch. Mr. Letta said that he had intended to match what is there now. Chairman Taylor asked if he could fabricate a hand rail to match the existing porch railings. Mr. Letta said that he could.

Mr. Letta said that he planned on replacing the porch flooring with a similar tongue-and-groove, wooden floor.

Chairman Taylor asked if there were any other comments or questions. Hearing none, he asked for a motion.

Commissioner Turchetti moved that the Planning Commission Approve the application as submitted and presented, with the following conditions:

1. The replacement columns will be wood or fiberglass and will be painted to match existing.
2. The handrail on the steps will match the existing porch hand rail.
3. The steps and decking shall be replaced in kind.

Commissioner Manley seconded the motion, which carried with a unanimous voice vote (6-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 03 (Public Hearing) Application #22-275A: 31 Bristol Street, BLUE LINE HOMES INC., for a Special Use Permit to operate a Short-Term Rental within each of a four-unit dwelling.**

John Auberger presented the application. With him was his business partner Maria Torez. He said that that Ms. Torez has experience in the hospitality industry and that he has experience managing rental property. They own 31, 51, and 61 Bristol Street.

Mr. Auberger said that this location is perfect for a short-term rental. It is just three houses from Main Street and adjacent to the C-2 “Central Business District” zoning. He believes the proposal is consistent with the city’s Comprehensive Plan by supporting tourism and promoting downtown businesses. He believes the use is consistent with adjacent uses and compliments these uses. Mr. Auberger said he lives at 61 Bristol Street and will be very attentive to this property.

Mr. Auberger is currently operating a one-bedroom apartment as a short-term rental (he was not aware of the requirement for a permit) and is now seeking approval to rent the entire house for short-term rental: two, one-bedroom apartments and two, two-bedroom apartments, for a total of 20 guests. He said there is parking for 8 cars on site with additional parking for 10 cars on his adjacent properties. The trash is kept in totes, which are then stored within an enclosure. He has cameras and lights for security and to keep an eye on the property. He said no one in the vicinity was providing the quality of rental housing that he will be providing.

He said that his revenue from operating a short-term rental is three to four times higher than he would receive from operating these as long-term rentals.

Mr. Brown confirmed the capacity of the total request and noted that the applicant said this might take five years to bring to fruition. He asked if the applicant would be amenable to a phased approval. Mr. Auberger said that, for planning purposes, he would like to seek approval for the entire project.

Chairman Taylor confirmed that all four units are currently occupied by long-term rentals.

Chairman Taylor opened the public hearing. There was no one present to speak. Mr. Brown said no written comments had been submitted. Chairman Taylor closed the public hearing.

Chairmans Taylor said the submittal was well done and all the information was helpful. However, he noted that this property was not the owner’s primary residence and that he was concerned with the precedent that might be set. Mr. Brown explained that the applicant had received a variance to this condition from the Zoning Board of Appeals. He did not think the Planning Commission could deny the application, based on this fact.

Commissioner Manley said that the application was very thorough and that he had no concerns.

Commissioner Hitchcock agreed and noted that and there is additional overnight parking in the municipal lot across the street.

Chairman Taylor asked if there were any other comments or questions. Hearing none, he asked for a motion.

Commissioner Dorschel moved that the Planning Commission Approve the application as submitted and presented, with the following conditions:

1. The maximum occupancy shall be as follows:
  - 6 guests for each of the two, two-bedroom apartments.
  - 4 guests for each of the two, one-bedroom apartments.
2. There shall be off street parking provided for 8 cars.

Commissioner Turchetti seconded the motion, which carried with a unanimous voice vote (6-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 04 (Public Hearing) Application #22-299: 222 North Main Street, DONNA BENNETT for a Special Use Permit to operate a Short-Term Rental from within her residence.**

Donna Bennett presented the application. She said that they have lived in this home for more than 18 years. Her children are now grown and there are vacant rooms. She proposes to create a “peaceful retreat”, offering meditation, Pilates, and guided tours of the community. She would rent one or two bedrooms to two to four people at a time. She said there is room on site to park two cars for the use.

Mr. Brown confirmed that Ms. Bennett intended to be on site at all times. Therefore, this application actually has the characteristics of a traditional bed & breakfast. Chairman Taylor asked the applicant why they were not going that route instead. Ms. Bennett said that she intended the use to be more intermittent than a full-time bed & breakfast and that they did not intend to open the entire house to guests.

Chairman Taylor opened public hearing.

Mr. Brown presented an email submitted by Lisa Klaczyk (18 Scotland Rd.) opposing the application.

Robert Marvin, the owner of 228 North Main, was in attendance via Zoom. He said that he was opposed to the application. He was concerned that there would not be proper vetting of the guests.

Chairman Taylor closed the public hearing.

Chairman Taylor asked for clarification from Ms. Bennett. Would the guest have free range of the house? Ms. Bennett said there is a separate entrance and that rooms could be locked to prevent access. Chairman Taylor said that the plan was not well thought out. He also said that the parking of two additional cars might not be as easy as presented. He is concerned about the configuration of the lot. Chairman Taylor also said that during previous meetings (regarding 228 North Main) several neighbors made it clear that they were vehemently opposed to having a short-term rental in the neighborhood.

Vice Chair Beyer said this was a unique proposal. She wondered how the use permit might carry on to future owners of the property. Mr. Brown said that if this was the concern, the board should specify these defining characteristics as a condition of approval, so that the entire house would not be rented out in the future.

Commissioner Hitchcock said he could support the application if it was limited, but right now it is too broad. He would like to see a more definite plan.

Chairman Taylor said that regardless of the limitations, he could not support this application. He does not believe a short-term rental is appropriate for this neighborhood.

Commissioner Manley noted the presence of other Bed & Breakfast establishments in the vicinity. Also, he noted that there was not significant opposition expressed in the public hearing.

Commissioner Turchetti agreed, noting other uses in the vicinity, such as the Elm Manor Nursing Home and the Fort Hill Performing Arts Center. But he would still want to see the owner always present and set a limited number of nights.

Commissioner Dorschel agreed that stipulations should be placed on the application that would restrict the use.

Chairman Taylor asked if there were any other comments or questions. Hearing none, he asked for a motion.

Vice Chair Beyer moved that the Planning Commission Table the application to allow the applicant to better define a business plan specifying how many rooms will be rented, how many guests will be present, how guests vehicles will be parked on site, and roughly how many nights per year the rentals will be offered.

Commissioner Manley seconded the motion, which carried with a unanimous voice vote (6-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

Commissioner Hitchcock left the meeting at this time.

**ITEM 05 (Public Hearing) Application #22-302: 90 Jefferson Avenue, MICHAEL FIORENTINO, for a Special Use Permit to operate a Short-Term Rental.**

Michael Fiorentino presented the application. He said this is a four-bedroom home and the driveway can accommodate up to five cars, and also has a two-car garage. He said the maximum occupancy would be eight guests. He said this house used to be his family home with eight family members. The house is a couple blocks from Main Street in a residential neighborhood and is a short walk to downtown restaurants and shops.

Mr. Fiorentino said that he operates a fishing and boating charter business and that most of the guests are his clients. He showed the board that he had received excellent reviews from past guests.

Mr. Fiorentino said that he owns four houses in Canandaigua and that, financially, he does better operating the property as a short-term rental. He has had damage from long-term renters and has had renters that did not pay rent during COVID.

Chairman Taylor asked if this was the applicant's primary residence. Mr. Fiorentino said this property is not his primary residence. He has stayed here while taking care of his father who is now deceased and while renovating the home.

Chairman Taylor opened the public hearing. There was no one present to speak. Mr. Brown said that no written comments had been submitted. Chairman Taylor closed the public hearing.

Commission Dorschel asked again if the property was the applicant's primary residence. Mr. Fiorentino said this property is not his primary residence, but, if necessary, he could make this his primary residence.

Chairman Taylor said he was concerned about the parking. There is only a single-width driveway. The cars would need to be stacked. He said the board has established a precedent of opposing short-term rentals within residential neighborhoods. He visited the site and saw there were several children playing in the neighborhood. He said that he does not think this is an appropriate use for this neighborhood.

Commissioner Turchetti said that the lack of owner-occupancy disqualified the application. Commissioners Manley and Beyer agreed.

Mr. Fiorentino submitted several positive reviews from guests that have stayed at the home.

Chairman Taylor asked if there were any other comments or questions. Hearing none, he asked for a motion.

Commissioner Turchetti moved that the Planning Commission ***Table*** the application to allow the applicant to provide proof that the subject property is his primary residence as required by local zoning. Commissioner Dorschel seconded the motion. Chairman Taylor opened the floor to discussion.

Chairman Taylor said that he was going to vote "No" on the motion to table. He would have preferred a motion to deny because he questioned the parking and that he feels this use is not appropriate in this residential neighborhood.

Chairman Taylor called for the vote, which carried with a voice vote (4-1).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Absent	
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	NO

Vice Chair Beyer assumed the Chairmanship for the next two applications.

**ITEM 06 Application #22-297: 233 North Pearl Street, CANANDAIGUA EMERGENCY SQUAD, for Architectural Review to install a wall sign.**

Chief Matt Sproul presented the application. He said they have recently completed construction of their new building. The old, deteriorated, ground sign has been removed. Instead of replacing this ground sign, they have decided to install a wall sign over the bay doors. The sign consists of simple, individual letters mounted to the wall. There is no sign lighting.

Chairman Taylor said the building turned out very well.

Commission Manley said the application was straight forward; he had no concerns or questions.

Vice Chair Beyer said the wall sign is an improvement over the ground sign.

Vice Chair Beyer asked if there were any other comments or questions. Hearing none, he asked for a motion.

Commissioner Manley moved that the Planning Commission Approve the application as submitted and presented. Commissioner Turchetti seconded the motion, which carried with a unanimous voice vote (5-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Absent	
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 07 Application #22-303: 523 South Main Street, STUDIO B, for Architectural Review to install a roof sign.**

Melissa Buchanan presented the application via Zoom. She is the business owner. They have been in the building for one year. They propose a sign on the existing mount from a previous sign. There is no sign lighting.

Vice Chair Beyer noted that the application also includes a portable sign. This is a plastic A-frame. Mr. Brown reminded the applicant that the sign would need to be placed on private property; not between the sidewalk and curb.

Chairman Taylor confirmed that the sign will not project above the roof line.

Vice Chair Beyer asked if there were any other comments or questions. Hearing none, he asked for a motion.

Commissioner Dorschel moved that the Planning Commission Approve the application as submitted and presented. Commissioner Manley seconded the motion, which carried with a unanimous voice vote (5-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Absent	
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

Chairman Taylor resumed duties as Chairman.

**ITEM 08 (Public Hearing) Application #22-305: 770 South Main Street, THE LAKE HOUSE, for Site Plan Review and Architectural Review to install a 250 SF greenhouse and 100 SF shed.**

David Crowe, Architect with HB Cornerstone, presented the application via Zoom. He provided plans indicating the location of the structures and showed renderings of the design. He said the structures would be used by the master landscaper employed by the hotel.

Chairman Taylor opened the public hearing. There was no one present to speak. Mr. Brown said that no written comments had been submitted. Chairman Taylor closed the public hearing.

Chairman Taylor confirmed that the structures would be painted white to match the hotel.

Commissioner Manley said the application was very complete.

Chairman Taylor asked if there were any other comments or questions. Hearing none, he asked for a motion.

Vice Chair Beyer moved that the Planning Commission Approve the application as submitted and presented. Commissioner Turchetti seconded the motion, which carried with a unanimous voice vote (5-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Absent	
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 09 Application #22-306: 200 Eastern Boulevard, MARK’S LEISURE TIME MARINE, for Architectural Review to install a wall sign.**

Jamie Catalano from Vital Signs presented the application via Zoom. She said the center portion of the sign is internally-illuminated, channel letters, mounted directly to the wall. The smaller signs on the exterior of the façade are not lit.

Chairman Taylor confirmed that the signs would be lit from dusk to dawn.

Commissioner Manley moved that the Planning Commission Approve the application as submitted and presented. Commissioner Dorschel seconded the motion, which carried with a unanimous voice vote (5-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Absent	
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 10 Application #22-313: Pier #1 Boathouse #17, THOMAS POST, for a Historic Alteration to reconstruct existing boathouse.**

Tom Post presented the application. He said that he has rented the boathouse for two years and recently had the chance to purchase it. He said that the structure is in very bad condition. The front looks good, but the structure is badly deteriorated. He displayed photos showing the condition. He said he has worked in construction his whole life and he does not believe the structure can be repaired. He proposes to demolish the boathouse and construct a new one.

Chairman Taylor confirmed that the proposed length exceeds what is permitted by zoning. The overall length is 40 feet and only 32 feet is permitted by code. Mr. Brown confirmed that the applicant would need to go to the Zoning Board of Appeals to seek an approval for this length.

Chairman Taylor confirmed that the proposed design includes a flat roof with a 10’x18’ deck on top.

Commissioner Manley read from the Boathouse Standards that do allow second-story balconies for new construction. Chairman Taylor noted that several adjacent boathouses on this outside row are much larger, two-story structures with second-story decks or balconies. He feels that the proposed design was compatible with these.

Chairman Taylor confirmed the materials and colors.

Vice Chair Beyer moved that the Planning Commission Approve the application as submitted and presented, with the following conditions:

1. The siding on the front and back will be wood board & baton. The color will be red.
2. The siding on the sides, not visible to the public, will be metal.
3. The roof will be asphalt shingles.
4. The doors and windows will be wooden.
5. All railings will be wooden.
6. An Area Variance shall be required from the Zoning Board of Appeals.

She made the motion with the finding that the deck was consistent with the adjacent boathouses and therefore appropriate for new construction.

Commissioner Dorschel seconded the motion, which carried with a unanimous voice vote (5-0).

Commissioner Dorschel	Voting	YES
Commissioner Hitchcock	Absent	
Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ADJOURNMENT**

Commissioner Turchetti moved to adjourn the meeting at 11:00. Commissioner Dorschel seconded the motion which carried with a unanimous voice vote (5-0).

\_\_\_\_\_  
Richard Brown  
Director of Development & Planning

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Stanley Taylor  
Planning Commission Chairman