

**Area Variance Meeting Notes**

**Date** 06.27.13 **Appeal #** AV1301

Minutes taken by \_\_\_\_\_

Meeting called to order at: 7:40 p.m.

**Members**

	Present	Absent
Janet Berkemeier	<u>X</u>	_____
Nancy Burke	_____	<u>X</u>
Mary Miller	<u>X</u>	_____
Bill Messinger	<u>X</u>	_____
Pam Sojda	<u>X</u>	_____
Diane Fowler	<u>X</u>	_____
Thomas Foss	<u>X</u>	_____

Application No. AV1301

Date of Application 05.08.13

Date Notice Published 06.12.13

**Others Present** Walter Wenhold \_\_\_\_\_

Patti Puleo \_\_\_\_\_

Tom Douglas, ZEO \_\_\_\_\_

Genesee County Planning Board Recommendations ~ **Review Date** 06.13.13 **Approve** X **Reject** \_\_\_\_\_

Modifications None \_\_\_\_\_

Bethany Planning Board Recommendations ~ **Review Date** 06.06.13 **Approve** X **Reject** \_\_\_\_\_

Modifications None \_\_\_\_\_

**State Environmental Quality Review ( SEQR)**                      **The status of this variance is...**

Type I \_\_\_\_\_ Poses a significant environmental impact. Requires completion of a long Environmental Assessment Form (EAF) and coordinated review by all involved agencies.

Type II X Actions NOT subject to review under SEQR. Type II actions include interpretations, granting area variances for one, two or three family dwellings and granting of individual setback and lot line variances.

Unlisted Actions \_\_\_\_\_ Actions are all those actions NOT considered Type I or Type II.

Use variances and conditional use permits are classified as Unlisted Actions and require completion of a short EAF.

Opening Remarks No objections from neighbors

Public Hearing Called to Order at: 7:40 pm

Public Comments CEO Douglas explained the variance

Public Hearing closed at: 8:05 p.m.

Area Variance Points to Consider

A. Whether an **undesirable change will be produced** in the character of the neighborhood or a **detriment** to nearby properties will be created by the granting of the area variance

Discussion Tom Foss – other properties in the area are similar

Vote Point A

	YES	NO
Janet Berkemeier	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Messinger	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pam Sojda	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diane Fowler	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thomas Foss	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Yes,** means you **DO** think an undesirable change will be produced.

**No,** means you **DO NOT**.

B. Whether the **benefit sought** by the applicant **can be achieved by some method, feasible** for the applicant to pursue **other than the area variance**

Discussion Tom Foss – is the septic far enough away and is there a crawl space?

Vote Point B.

	YES	NO
Janet Berkemeier	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Messinger	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pam Sojda	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diane Fowler	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thomas Foss	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**YES,** means you **do think** the benefit **can be achieved** by another method.

**NO,** means you **DO NOT**.

C. Whether the **requested area variance is substantial**

Discussion \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Vote Point C.**

YES NO

Janet Berkemeier	<u> X </u>	_____
Nancy Burke	_____	_____
Mary Miller	<u> X </u>	_____
Bill Messinger	<u> X </u>	_____
Pam Sojda	<u> X </u>	_____
Diane Fowler	<u> X </u>	_____
Thomas Foss	<u> X </u>	_____

**YES** means you think the area variance **IS substantial**.  
**NO**, means you **DO NOT**.

D. Whether the proposed variance **will have an adverse effect** or impact on the physical or environmental conditions in the neighborhood or district

Discussion \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Vote Point D.**

YES NO

Janet Berkemeier	_____	<u> X </u>
Nancy Burke	_____	_____
Mary Miller	_____	<u> X </u>
Bill Messinger	_____	<u> X </u>
Pam Sojda	_____	<u> X </u>
Diane Fowler	_____	<u> X </u>
Thomas Foss	_____	<u> X </u>

YES, means you think the variance **WILL HAVE** an adverse effect or impact.

NO, means you think IT WILL NOT

E. Whether the alleged difficulty was self created.

Discussion \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Vote Point E.**

YES NO

Janet Berkemeier	<u> X </u>	_____
Nancy Burke	_____	_____
Mary Miller	<u> X </u>	_____
Bill Messinger	<u> X </u>	_____
Pam Sojda	<u> X </u>	_____
Diane Fowler	<u> X </u>	_____
Thomas Foss	<u> X </u>	_____

YES, means you think the difficulty **WAS** self-created.

NO, means you think it was **NOT**.

Motion to .. Approve  X  Reject \_\_\_\_\_ Made by Pam Sojda Seconded by Mary Miller

Conditions of Approval \_\_\_\_\_ None \_\_\_\_\_

Motion Vote                      Approve    Reject    Abstain

Janet Berkemeier	<u>  X  </u>	<u>      </u>	<u>      </u>
Nancy Burke	<u>      </u>	<u>      </u>	<u>      </u>
Mary Miller	<u>  X  </u>	<u>      </u>	<u>      </u>
Bill Messinger	<u>  X  </u>	<u>      </u>	<u>      </u>
Pam Sojda	<u>  X  </u>	<u>      </u>	<u>      </u>
Diane Fowler	<u>  X  </u>	<u>      </u>	<u>      </u>
Thomas Foss	<u>  X  </u>	<u>      </u>	<u>      </u>

<b>Action Taken</b>	
<b>Approved</b>	<u>  X  </u>
<b>Denied</b>	<u>      </u>
<b>Tabled</b>	<u>      </u>

Motion Tally                      Carried   6   Denied   1  

**Motion to CLOSE meeting made by Janet Berkemeier Motion SECONDED by Bill Messinger**

Motion Tally    In Favor      6      Opposed      0  

**Chairman Adjourns Meeting at:   8.07   p.m.**