

Area Variance Meeting Notes

Date 08.28.13 Appeal # AV1302

Minutes taken by Pam Sojda

Meeting called to order at: 7:30 pm

Members

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

Application No. AV1302

Date of Application 07.02.13

Date Notice Published 08.16.13

Others Present Gretchen Pietrzykowski _____
Francis Pietrzykowski _____
Walter Wenhold, Councilman _____
Tom Douglas, CEO/ZEO _____

Genesee County Planning Board Recommendations ~ **Review Date** 08.08.13 **Approve** X **Reject** _____

Modifications - Given that the addition will be placed on 2 parcels, the required modification is that the parcels be combined. With this required modification, the proposed front porch should not pose significant impacts. Neighboring properties exhibit similar setbacks. _____

Bethany Planning Board Recommendations ~ **Review Date** 08.01.13 **Approve** X **Reject** _____

Modifications _____

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 – Tom Douglas explained that the 2 properties are joined at this time. Tom Foss asked about comments from neighbors. None have been received.

Public Hearing Called to Order at: 7:37 pm

Public Comments None

Public Hearing closed at: 7:50 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 _____

Vote Point A

YES NO

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

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 _____

Vote Point B.

YES NO

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

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	<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>	_____

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 will look nice _____

Vote Point D.

YES NO

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>

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	<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>	_____

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 Nancy Burke

Conditions of Approval None _____

Motion Vote Approve Reject Abstain

Janet Berkemeier	<u> X </u>	<u> </u>	<u> </u>
Nancy Burke	<u> X </u>	<u> </u>	<u> </u>
Mary Miller	<u> </u>	<u> X </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>

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

Motion Tally Carried 6 Denied 1

Motion to CLOSE meeting made by Pam Sojda Motion SECONDED by Nancy Burke

Motion Tally In Favor 6 Opposed

Chairman Adjourns Meeting at: 8:00 pm