

Area Variance Meeting Notes

Minutes taken by Pam Sojda

Date 5/25/16 Appeal # AV1602

Meeting called to order at: 7:32 PM

Members

	Present	Absent
Janet Berkemeier	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nancy Burke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Messinger	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Diane Fowler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas Foss	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Application No. AV1602

Date of Application 4/6/16

Date Notice Published 5/13/16

Others Present

Robert Puko

Genesee County Planning Board Recommendations ~ Review Date 5/12/16 Approve Reject

Modifications _____

Bethany Planning Board Recommendations ~ Review Date 5/5/16 Approve Reject

Modifications because too large, out of character w/area, + option to minimize the number of variances by building the garage in line or set back from the residence

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 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 explained variance + changes to be made to original 3 variances.

Public Hearing Called to Order at: 1:37

Public Comments 5/25/16 Wayne Nichols expressed concern about the proposed bldg being in front of the house and poles would obstruct the neighbors view. The applicant Bob Palco has changed the position to eliminate the #1 and #2 will be 69' from ROW and #3 will be 8' from side yard (and 6'8" from

Public Hearing closed at: 7:52pm house + poles been

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 Moving the location makes this more

Vote Point A

	YES	NO
Janet Berkemeier	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Messinger	<input checked="" type="checkbox"/>	<input 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 _____

Vote Point B.

	YES	NO
Janet Berkemeier	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nancy Burke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Messinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Diane Fowler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas Foss	<input checked="" type="checkbox"/>	<input 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 Front is 6 foot short side is 17' short

Vote Point C.

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

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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Messinger	<input type="checkbox"/>	<input 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 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Messinger	<input type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Diane Fowler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas Foss	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

NO, means you think it was NOT.

Motion to .. Approve Reject Made by Janet Seconded by Pam

Conditions of Approval The pole barn will be 69' from ROW, 8 foot from side yard line. The house placement was prior to zoning regulations.

Motion Vote Approve Reject Abstain

Janet Berkemeier	✓	_____	_____
Nancy Burke	✓	_____	_____
Mary Miller	✓	_____	_____
Bill Messinger	_____	_____	_____
Pam Sojda	✓	_____	_____
Diane Fowler	✓	_____	_____
Thomas Foss	✓	_____	_____

Action Taken.	
Approved	<u>6</u>
Denied	<u>1</u>
Tabled	<u>/</u>

Motion Tally Carried 6 Denied 1

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

Motion Tally In Favor 6 Opposed 0 Chairman Adjourns Meeting at: 8:05)