

Area Variance Meeting Notes

Date 3/22/17 Appeal # AV1703

Washburn

Minutes taken by Pam Sojda

Meeting called to order at: _____

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"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>
Thomas Foss	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Application No. AV1703

Date of Application 2/13/17

Date Notice Published 3/9/17

Others Present Justin Washburn Bill + Audrey Gick
Megal Gaffney (United Wind) Barbara Hollands
Carl Hyde Jr. Tim Embt
Jeff Flucker Tom Douglas

Genesee County Planning Board Recommendations ~ Review Date 3-9-17 Approve Reject

Modifications _____

Bethany Planning Board Recommendations ~ Review Date 3-2-17 Approve 3 Reject 3

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 _____ 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.

Town Board will be completing a SEQR

Opening Remarks Restriction is ≤ 5 acres 80ft, ≥ 5 acres 150ft

Public Hearing Called to Order at: 8:00

Public Comments Height is dependent on wind speed varies @ different properties (by Megan Gaffney)

Carl Hyde - neighbors concerns were misinformation about size of Turbin and circle drawn on map hitting roads.

Public Hearing closed at: 8:30

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 AV1703 - is height restricters

Vote Point A

	YES	NO
Janet Berkemeier	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input 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"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vacant	<input 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 _____

Vote Point C.

	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"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vacant	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vacant	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vacant	<input 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 NANCY Seconded by MARY

Conditions of Approval _____

Motion Vote Approve Reject Abstain

Janet Berkemeier	<u> </u>	<u> ✓ </u>	<u> </u>
Nancy Burke	<u> ✓ </u>	<u> </u>	<u> </u>
Mary Miller	<u> ✓ </u>	<u> </u>	<u> </u>
Vacant	<u> </u>	<u> </u>	<u> </u>
Pam Sojda	<u> ✓ </u>	<u> </u>	<u> </u>
Vacant	<u> </u>	<u> </u>	<u> </u>
Thomas Foss	<u> ✓ </u>	<u> </u>	<u> </u>

Action Taken	
Approved	<u> </u>
Denied	<u> 4 </u>
Tabled	<u> </u>

Motion Tally Carried 4 Denied 0

Motion to CLOSE meeting made by _____ Motion SECONDED by _____

Motion Tally In Favor Opposed Chairman Adjourns Meeting at: _____