

**Area Variance Meeting Notes**

Date 4-25-18 Appeal # SA 18003

Minutes taken by ~~Pam Sojda~~ Janet Berkemeier

Meeting called to order at: 7:35

**Members**

	Present	Absent
Janet Berkemeier	_____	_____
Nancy Burke	_____	✓
Mary Miller	✓	_____
Joshua Wells	✓	_____
Pam Sojda	✓	_____
Patti Famiglietti	✓	_____
George Larish	✓	_____

Application No. SA 18003

Date of Application 3-12-18

Date Notice Published 4-17-18

— recuse from vote  
conflict

**Others Present** Tim Embt \_\_\_\_\_

Tom Douglas \_\_\_\_\_

Jeff Wolak \_\_\_\_\_

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

Modifications \_\_\_\_\_

Bethany Planning Board Recommendations ~ Review Date \_\_\_\_\_ Approve  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  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 Variance For side yard setback 50' required  
this will be 26.9 FT

Public Hearing Called to Order at: 7:35

Public Comments NO public attended

Public Hearing closed at: 7:50

**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	_____	<input checked="" type="checkbox"/>
Nancy Burke	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Miller	_____	<input checked="" type="checkbox"/>
Joshua Wells	_____	<input checked="" type="checkbox"/>
Pam Sojda	_____	<input checked="" type="checkbox"/>
Patti Famigliette	_____	<input checked="" type="checkbox"/>
George Larish	_____	<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 An addition to the building would not be feasible

**Vote Point B.**

	YES	NO
Janet Berkemeier	_____	<input checked="" type="checkbox"/>
Nancy Burke	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Miller	_____	<input checked="" type="checkbox"/>
Joshua Wells	_____	<input checked="" type="checkbox"/>
Pam Sojda	_____	<input checked="" type="checkbox"/>
Patti Famigliette	_____	<input checked="" type="checkbox"/>
George Larish	_____	<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 23.1 ft could be substantial in a different situation

Vote Point C.

YES NO

Janet Berkemeier	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nancy Burke	<input type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joshua Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patti Famigliette	<input type="checkbox"/>	<input checked="" type="checkbox"/>
George Larish	<input 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 type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joshua Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pam Sojda	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Patti Famigliette	<input type="checkbox"/>	<input checked="" type="checkbox"/>
George Larish	<input type="checkbox"/>	<input 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 type="checkbox"/>
Nancy Burke	<input type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joshua Wells	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patti Famigliette	<input checked="" type="checkbox"/>	<input type="checkbox"/>
George Larish	<input 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 \_\_\_\_\_ Seconded by \_\_\_\_\_

Conditions of Approval Pam Sojda moved to approve seconded by Mary Miller

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>
Joshua Wells	<u>✓</u>	<u>      </u>	<u>      </u>
Pam Sojda	<u>✓</u>	<u>      </u>	<u>      </u>
Patti Famiglietti	<u>✓</u>	<u>      </u>	<u>      </u>
George Larish	<u>      </u>	<u>      </u>	<u>      </u>

<b>Action Taken</b>	
Approved	<u>5</u>
Denied	<u>      </u>
Tabled	<u>      </u>

Motion Tally                      Carried ✓ Denied       

Motion to CLOSE meeting made by Joshua Motion SECONDED by Pam

Motion Tally    In Favor 6    Opposed 0

Chairman Adjourns Meeting at: 8 pm