

Use Variance Meeting

see page 2 - Application withdrawn

Date 10-11-18 Appeal # SA18005

Minutes Taken by Pam Sojda

Meeting Called to order at: 7:35 Pm

Members

Present Absent

Application No. SA18005

Date of Application 7-16-2018

Date Notice Published 8/22/18
10-3-18

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 Famiglietti	<input checked="" type="checkbox"/>	<input type="checkbox"/>
George Larish	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Others Present Gino + Lynn Maniace

Genesee County Planning Board Recommendations-
Modifications

Review Date 8-9-18 Approve Reject

Approve Area Disapprove
Use variance

Bethany Planning Board Recommendations-
Modifications

Review Date 8-2-18 Approve Reject

approval of both

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 Douglas - Stabling of animals MUST BE 500 Feet from R-zone
100 ft from a house on a R-zone for manure storage
DAVE DiMatteo - suggested to withdraw the USE variance

Public Hearing Called to Order at: 7:35 AM

Public comments Mr Maniace @ 8:25 decided to withdraw the USE variance
Tom Douglas - put a fence up to the residential area
Dave DiMatteo - suggested conditions on size of houses
Patty - NO "Food animals"

Public Hearing CLOSED at: _____

Points to Consider

A. The applicant **cannot realize a reasonable return**, provided that lack of return is substantial as demonstrated by competent financial evidence: Discussion _____

Vote Point A

	YES	NO
Janet Berkemeier	_____	_____
Nancy Burke	_____	_____
Mary Miller	_____	_____
Joshua Wells	_____	_____
Pam Sojda	_____	_____
Patricia Famiglietti	_____	_____
George Larish	_____	_____

Has the applicant demonstrated that he/she CAN NOT realize a reasonable return?

B. That the **alleged hardship** relating to the property in question is **unique and does not apply** to a substantial portion of the district or neighborhood; Discussion _____

Vote Point B.

	YES	NO
Janet Berkemeier	_____	_____
Nancy Burke	_____	_____
Mary Miller	_____	_____
Joshua Wells	_____	_____
Pam Sojda	_____	_____
Patricia Famiglietti	_____	_____
George Larish	_____	_____

Yes. means you think the hardship IS UNIQUE and DOES NOT apply.
No. Means you think the hardship is NOT UNIQUE.

C. That the requested use variance, if granted, **will not alter the essential character of the neighborhood** Discussion _____

Vote Point C.

	YES	NO
Janet Berkemeier	_____	_____
Nancy Burke	_____	_____
Mary Miller	_____	_____
Joshua Wells	_____	_____
Pam Sojda	_____	_____
Patricia Famiglietti	_____	_____
George Larish	_____	_____

Yes, means you think the variance WILL NOT ALTER the character of the neighborhood.
 No, means you think the variance WILL ALTER the character of the neighborhood.

D. That the alleged hardship has not been **self created**.

Discussion _____

Vote Point D.

	YES	NO
Janet Berkemeier	_____	_____
Nancy Burke	_____	_____
Mary Miller	_____	_____
Joshua Wells	_____	_____
Pam Sojda	_____	_____
Patti Famiglietti	_____	_____
George Larish	_____	_____

Yes, means you think the hardship has NOT BEEN SELF-CREATED.
 No, means you think the hardship HAS BEEN self created.

Motion to ...Approve _____ -Reject _____ Made by _____ Seconded by _____
 Additional Discussion _____

I
 Motion Vote Approve Reject Abstain

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

Action Taken

Approved	_____
Denied	_____
Tabled	_____

Motion Tally Carried _____ Denied _____

Motion to CLOSE Meeting Made by _____ -Motion Seconded by _____

Motion Tally In Favor _____ Opposed _____ Chairman Adjourns Meeting at: _____