

Area Variance Meeting Notes

Date 7-22-20 Appeal # SA20008

Minutes taken by Pam Sojda

Meeting called to order at: 7:30

Members

	Present	Absent
Janet Berkemeier	✓	
William Felsasser	✓	
Mary Miller		✓
Joshua Wells		
Pam Sojda	✓	
Patti Famiglietti	✓	
George Larish	✓	

Application No. SA 20008

Date of Application 2-3-20

Date Notice Published 7-15-20

Others Present Dustin Beardsley Tim Embt, Councilman Tom Douglas, CEO/ZEO

Genesee County Planning Board Recommendations ~ Review Date 7-9-20 Approve Reject

Modifications The applicant must provide documentation from Genesee County Soil, Water & Conservation

Methany Planning Board Recommendations ~ Review Date 7-2-20 Approve Reject

Modifications ~~The applicant must provide documentation from Genesee County Soil, Water & Conservation.~~ Town does not consider existing pond - a pond because of the size

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 Dustin is waiting for DEC letter about "check zone"

Public Hearing Called to Order at: 7:30

Public Comments Orig Tany write in support of the pond

Public Hearing closed at: 7:55

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"/>
William Elsasser	_____	<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 The topographical layout of surrounding area is conducive to the pond placement

Vote Point B.

	YES	NO
Janet Berkemeier	_____	<input checked="" type="checkbox"/>
William Elsasser	_____	<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 _____

Vote Point C.

	YES	NO
Janet Berkemeier	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>William Elsasser</i>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Patti Famigliette	<input checked="" type="checkbox"/>	<input type="checkbox"/>
George Larish	<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"/>
<i>William Elsasser</i>	<input type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>
<i>William Elsasser</i>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Patti Famigliette	<input checked="" type="checkbox"/>	<input type="checkbox"/>
George Larish	<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 George Larish Seconded by Pam

Conditions of Approval with DEC approval as to the "check zone"

Date 7-22-20 Appeal # SA2008

Motion Vote Approve Reject Abstain

Motion Vote	Approve	Reject	Abstain
Janet Berkemeier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>William Elsasser</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joshua Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pam Sojda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patti Famiglietti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Larish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Action Taken	
Approved	<u>5</u>
Denied	<u>2</u>
Tabled	<u>1</u>

Motion Tally Carried 5 Denied 2

Motion to CLOSE meeting made by _____ Motion SECONDED by _____

Motion Tally In Favor _____ Opposed _____

Chairman Adjourns Meeting at: _____