

ZONING BOARD OF APPEALS MEETING

April 15, 2021

6:00 PM

The meeting was called to order by Chairperson Kathy Taylor at 6:00 PM. Roll call by Clerk, Cindy Schiminske, found the following Board Members present:

Kathy Taylor, Chairperson

Ernie Rivera

Maureen Riester

Craig Coleman

Bob Faynor

Donna Gilfus, Alternate

Also in attendance: Bill Gabak, Jr., Zoning Officer
Jonathan & Kristyna Geherin
Mike Fallat

Bob Faynor made a motion to approve the minutes of March 18, 2021, seconded by Ernie Rivera. Approved AYES 5-0.

The purpose of this meeting was to hear the following requests:

1. Christopher Geherin, 6128 West Lake Road, Tax Map # 130.06-2-22.12, is requesting a south side yard area variance of 7 ft from the required 20 ft for a 24' x 32' addition to an existing garage (Bulk & Use Table, Lakeshore District). His existing garage is presently 10 feet from the south property line. He would be demolishing part of the present garage and adding on to it.

Jonathan Geherin, applicant, stated that they would be removing part of the existing garage and then turning it from a one car garage into a two car garage. A section of the garage would have to remain because part of the house is in it. The rest of the garage will be removed and then moved 2 feet to the north and 2 feet to the south, which gives them the 24 ft. Mr. Geherin stated that they are asking for a 7ft variance but it's actually closer to 8ft but because of the way the lot is shaped, it is a little bit more than 8ft. He also stated that if you look at this house compared to the other houses, even though they are asking to move a little bit closer, the houses are staggered so it won't give the appearance of being right on top of each other. It won't block anyone's view. The applicant discussed the plans with his neighbors and they have no problems with it.

The air conditioning unit that is on that side will stay right where it is. The garage won't be any further over than that. The garage will just block the unit from view.

Chairperson Taylor reviewed the five criteria for granting the area variance with the Board Members.

Chairperson Taylor made a motion to vote on the variance request of 7 feet from the required 20 feet, seconded by Bob Faynor.

Roll call vote was taken by the Board.

Bob Faynor	YES
Ernie Rivera	YES
Maureen Riester	YES
Craig Coleman	YES
Chairperson Taylor	YES

MOTION APPROVED

2. Michael Fallat, 2737 Almond Drive, Tax Map #130.05-1-11.1, is requesting a minor subdivision for a lot line adjustment to give three adjoining property owners minimal acreage. The Board reviewed the documentation received from Mr. Fallat. He submitted three notarized Letters of Intent for Parcel Size Adjustment together with an Application for Subdivision. Mr. Fallat stated that some of these lawns encroach upon the legal boundary of his property and it's been like that since he purchased the property in 2006. He would like to move these lawns and properties that these neighbors maintain, which are actually on his property, to each of the respective property owners so they can enjoy their lawns and eliminate any conflicts with the potential buyers of his property.

This minor subdivision of parcel #130.05-1-11.1 would be as follows:

- (a) 0.05 acres (2,197 sq ft) to Steve and Maria Fenton
(to be merged with 130.05-1-10-18);
- (b) 0.173 acres (7,517 sq ft) to Paul Colella & Kristy Alberici
(to be merged with 130.05-1-10.19);
- (c) 0.093 acres (4,047 sq ft) to Todd and Amy Fredericksen
(to be merged with 130.05-1-8);

The parent parcel would now consist of 5.533 acres #130.05-1-11.1.

Chairperson Taylor reviewed the five criteria with the Board Members.

Being that this is a Type 2 SEQR, no further review is needed.

Chairperson Taylor made a motion to approve this subdivision, seconded by Bob Faynor. Roll call vote was taken by the Board.

Bob Faynor	YES
Ernie Rivera	YES
Maureen Riester	YES
Craig Coleman	YES
Chairperson Taylor	YES

MOTION APPROVED

3. Dumond Grain LLC, 5083 White Road, is requesting an Amended Special Use Permit to include the following:
 - a) Increase soybean processing production from 8 tons to 16 tons;
 - b) Extend hours of production to 24/7;
 - c) Build 2 grain storage bins.

The Board reviewed and discussed the plans for this project. They expressed concerns regarding: increase in truck traffic; noise levels (use of jake brakes); staging area for tractor trailers; White Road being able to handle increased truck traffic and expense to repair the road as a result of this increased traffic; air quality as a result of increased production and truck traffic; and a tree line to buffer some of the noise. The Board will submit a letter to the Town Board with these concerns.

There being no further business, Maureen Riester made a motion to adjourn the meeting, seconded by Bob Faynor. Time was 7:04 PM.

Respectfully submitted,

Cindy Schiminske
Clerk, Zoning Board of Appeals