

**Joint Town/Village of Lima
Zoning Board Meeting Minutes
October 21, 2013**

Present: John Bailey, Chairman; Jim VanDick, Vice-Chairman; Andy Matthews, Dennis Neenan, Duane Fuller, Steve Werner; Deb Shaughnessy, Secretary

Excused: Duane Thompson,

Guests: Zachary Groet, Jeff Tanner, Roland Michalski; John Correll, Village Liaison, Cathy Gardner, Town Liaison

The Meeting of Joint Town/Village Zoning Board (The Board) was called to order at 8:00 p.m. on Monday, October 21, 2013.

New Items

A. The purpose of this meeting is to review an Area Variance request by Zachary Groet to build a 22' X 22' addition to the front of the existing house located at 1355 Dalton Road, Lima. The Planning Board verbally referred this matter to the Zoning Board of Appeals without comment. There was no formal recommendation from the County Planning Board.

The Board heard comments from Mr. Groet regarding his plans to add a 22' X 24' structure to the front of the existing dwelling. The applicant stated he cannot add to the rear of the house due to septic and drainage.

An Agricultural Data Statement was considered, but was determined by the Board that this property is not near the Agricultural District.

SEQR Form was discussed. The Board determined that this is a Type II Action.

Area Variance Requirements:

- 1) This will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.
- 2) The benefit sought can be arrived by other means but with limitations.
- 3) The variance would not be substantial.
- 4) The variance would not have any adverse physical or environmental effects on the neighborhood.
- 5) The alleged difficulty is not self-created.

MOTION to grant an Area Variance with maximum of 2' extended beyond west wall of existing house as requested by Board. Seconded and Vote was 5 In Favor with 1 Abstained. MOTION carried.

B. The purpose of this meeting is to review an Area Variance request by Jeffrey Tanner to build a pole barn at front of the existing house located at 2695 Pond Road, Lima. The Planning Board verbally referred this matter to the Zoning Board of Appeals without comment. There was no formal recommendation from the County Planning Board.

The applicant lives on a dead end road, there are similar structures on that same street. The applicant has spoken to several neighbors and have received verbal support of such neighbors. Mr. Michalski, neighbor, attended this meeting and stated he is in support of approval of this variance.

Mr. Tanner plans to remove a couple of old, previous existing sheds. These prior existing sheds do not meet current Lima setback requirements and his removal would correct this issue. The south side of the property severely slopes up to the septic. The applicant plans to keep mature trees intact. It is not feasible to set the barn behind the house or pool as it would be too difficult to park the boat in the barn; thus, making the barn unusable. This plan will meet front setback requirements.

This would be a SEQR Type II Action.

Area Variance Requirements:

- 1) This will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.
- 2) The benefit sought cannot be arrived by other means.
- 3) The variance would be substantial.
- 4) The variance would not have any adverse physical or environmental effects on the neighborhood.
- 5) The alleged difficulty is not self-created.

MOTION to grant Area Variance with stipulation that applicant remove current non-conforming sheds as submitted on drawings with variance application. Seconded and unanimous. So carried.

Open meeting closed.

The Board discussed future document process. Proposed process:

- A topography map with a variance application to be reviewed by the ZBA when appropriate.
- The Agricultural Data Statement should always be filled out.
- Variance application needs to be completely filled out by applicant.
- C of O should hand out graph paper with blank application so that applicant can provide sketch measurements/dimensions of plans.

It was decided the Chairman, Town Liaison, Town Attorney and C of O will meet to discuss potential process. Once this meeting has taken place the Secretary will set up a meeting with the ZBA, C of O and Planning Board Chairman to finalize a process.

MOTION to adjourn meeting. Seconded and unanimous. The Joint Town/Village Zoning Board meeting was adjourned at 10:10 p.m.