

APPROVED

A Public Hearing before the Zoning Board of Appeals of the Town of Williamson was held on February 26, 2009, in the Town Conference Room at 8:00 P.M.

The following members were:

Present: Jay Peters, Chairman
Kurt Allman
Bruce Akins

Absent: Leigh Furnal
Ernie Norton

Also in attendance: Adam Peters, Jack Moore, Mark Lagoner, Stephen Haywood, Assessor/Zoning Officer and Chuck Monsee's Government Class from Williamson Central School

The minutes of the January 22, 2009, meeting were submitted for approval. A motion was made by Bruce Akins and seconded by Kurt Allman to approve the minutes as submitted. Motion carried.

The following Notice of Action was submitted for approval:

Appeal No. 749: Williamson Reformed Church, a motion was made by Kurt Allman and seconded by Bruce Akins to approve as submitted. Motion passed.

Agenda Items:

Continuation of Appeal No. 747 – First Presbyterian Church of Williamson. Appeal has been withdrawn by applicant.

Continuation of Appeal No. 748 – Joi Ann Kinley of Mitchell Auto Brokers Inc. A request for a special use permit for a clubhouse use in a C-2 zone. Property is owned by Corner Quick Stop, Inc. and is located at 4346 Route 104, Williamson.

No one was present to address the Board for this Appeal. At last month's meeting, the Board made a motion to table this matter until the Board's receipt of a permit for the kitchen and an engineer's report of the sewer system. Mr. Haywood did indicate that they did apply for the permit and a permit issued. The septic system report has not been received as of yet but they thought they did have one at the site. Bruce Akins had a concern that Ms. Kinley would continue operating as a clubhouse without the Board granting the permit if they continued to not show up for the meetings. Mr. Haywood indicated that there was nothing the Board could do to stop it at this point. Bruce Akins made a motion to table Appeal No. 748 until the March, 2009, meeting. Kurt Allman seconded the motion. Motion passed.

Appeal No. 750 - Appeal No. 750: Jay Peters of 7295 Lake Avenue, Williamson. A request for a special use permit for a roadside farm stand. Property is owned by applicant and is

located at 6587 Lake Avenue, Williamson. Zoned A/R (Ag/Residential). Adam Peters addressed the Board and said he would like to build a 6' x 4' farm stand. It would be 40 feet off the road at which he will be selling fruits and vegetables. Bruce Akins asked Adam Peters if he would be selling produce that is not grown on the farm. He said he would not. Mr. Haywood was looking for interpretation from the Zoning Board as to how they interpreted the use schedule. The use schedule says a roadside stand is a permitted use in an R-1 zone. Under Ch. 178, Art VII, it indicates that a farm stand is a permitted use in the A or A/R zone with certain limitations. No where in the Zoning Ordinance is "roadside stand" addressed as to size or operating parameters. The Board discussed it and they determined that roadside stand and farm stand are one of the same and, therefore, is a permitted use. According to the Zoning Ordinance the size limit for a roadside stand is 150 square feet. Kurt Allman made a motion to table Appeal No. 750 until the March, 2009, meeting. Bruce Akins seconded the motion. Motion passed.

There being no further business, a motion was made by Kurt Allman to adjourn the meeting. Bruce Akins seconded the motion. The meeting was adjourned at 8:30 P.M.

Respectfully submitted,

Paula Dathyn
Secretary
Zoning Board of Appeals