

A public hearing before the Zoning Board of Appeals of the Town of Williamson was held on March 22, 2016, in the Town Complex meeting room at 7:00 PM.

The following members were present:

Noah Knataitis, Acting Chairman

Chuck Monsees

Daniel DeCracker

Absent: Ernie Norton

Tim Gulick

Also present were Alyssa Williams, John Dorfner, MacKenzie Whitmore, Stephanie Fisk, Jacob Bailey, Malik Jones, Nate Pollock, Shania Fonda, Taylor W., Emily Thompson, Maja Kjaerulff, Naomi Cobbs, Ebony Motley, Brianna Wilson, Cassie McCall, Bre McCall, Andrew Fitzgerald, Thomas Babcock, Brandon Longo, Rebecca, RJ Hopper, Benjamin Dodge, Asiane H., Clayton Hamm, Kenzie B., Austin Whitcomb, John DeRouchey, Dean Hartfiel, Haley Haws, Jocelyn Martinez, Amber Raymer, Ashley Raymer, Adam Wangler, Dawson Gilbert, Emme McLymond, Serena D., Ashley Lang, Sarena Buys, Jagger Secor, Logan DeRue, Leaha Erdman, Nancy Gowan (Town Councilmember), Joseph Maliga (Code Enforcement Officer), and Christine Nagel (Clerk).

The minutes of the February 24, 2016, meeting were reviewed for approval. A motion to approve the minutes as submitted was made by Dan DeCracker and seconded by Chuck Monsees. All voted in favor of the motion.

Agenda Items:

Final Review Appeal No. 851: John DeRouchey of 865 County Route 6, Phelps, NY. Applicant is requesting setback relief in order to install a residential photovoltaic system. Property is owned by Dean Hartfiel and is located at 6627 Tuckahoe Rd, Williamson. Zoned I-1 (Industrial).

Public Hearing opened at 7:05 PM

Noah Knataitis explained to the students that this item had been tabled in February's meeting. John DeRouchey from Halco Energy in Phelps, NY, explained that the new survey submitted for this hearing is much more accurate than those originally put forth and indicates that both rear and side setback relief will be needed for this project.

After reviewing the Code requirements, it was determined that 18 feet of rear setback relief is needed from the west lot line and 11 feet of side setback relief is needed from the north lot line. In addition, 0.55 acres of area relief is also needed.

There was no public comment. The Building and Zoning Office received no communications from the community.

Public hearing closed at 7:10 PM

The Board noted the Town's desire to encourage use of solar power by individuals and business in the Town.

The Board referred back to the discussion in the February 2016 meeting, as to there being any means to minimize any variance. Moving the array would require Halco Energy to increase the height and perhaps the pitch of the array. As proposed, the array is 72" high at the base and 10.5 feet tall.

A motion was made by Chuck Monsees to approve Appeal No. 851 granting 0.541 acres of lot size relief, 11 feet of side (north) setback relief, and 18 feet of rear (west) setback relief. The motion was seconded by Dan DeCracker. All voted in favor.

Appeal No. 852: John Dorfner of 5845 Pease Rd, Williamson, NY. Applicant is requesting a use variance to place a mobile home on the property. Property is owned by applicant and is located at 5845 Pease Rd, Williamson. Zoned A-1 (Agricultural).

Public Hearing opened at 7:18 PM

Mr. Dorfner has purchased an older, used mobile home, and moved it to his property; he plans to gut the unit to use for storage, removing the wheels and placing it on the ground. There would be no plumbing or electricity to the unit. His property is four acres.

The Board reviewed various sections of Code, discussing which would apply. Mr. Maliga explained that even as a shed, the modification of the unit must be done according to current Code requirements.

Public Hearing closed at 7:21 PM

Following further discussion within the Board, the conclusion was that altering the structure in the manner described would mean it is no longer a mobile home but an accessory structure, which is a permitted use. Whether this particular accessory structure would meet the requirements of the Building Code is outside the domain of the ZBA.

A motion was made by Chuck Monsees to deny Appeal No. 852 because no variance is required. The motion was seconded by Dan DeCracker. All voted in favor.

Mr. Monsees and Mr. Knataitis explained to the students present the responsibilities of the Zoning Board of Appeals, why a variance might be required, how to apply for one, and what a granting or denial of the application means. There was a question and answer period.

Dan DeCracker made a motion that the application fee for Appeal No. 852 be refunded. Since the Code Enforcement Officer acted in good faith in referring the applicant to the ZBA, the motion was withdrawn.

There being no further business, a motion to adjourn was made by Dan DeCracker, and seconded by Tim Gulick. All voted in favor.

Respectfully submitted,

Christine Nagel, Secretary