

## APPROVED

A Public Hearing before the Zoning Board of Appeals of the Town of Williamson was held on August 27, 2009, in the Town Conference Room at 8:00 P.M.

The following members were:

Present: Jay Peters, Chairman  
Leigh Furnal  
Bruce Akins  
Ernie Norton  
Kurt Allman

Absent: None

Also in attendance: Orlo Plyter, Herb Gravelle, Nancy Gravelle, Theresa Baker, Roger Baker, Robert Dominik, Dorothy Brown, David Alexander, Donald Eve, Florence Eve, Carol Savory, John Savory, Jackie White, Bill White, Michael Bixby Town Councilman, Ann Collier, Jerry Collier and Stephen Haywood, Assessor/Zoning Officer.

The minutes of the July 23, 2009, meeting were submitted for approval. A motion was made by Ernie Norton and seconded by Bruce Akins to approve the minutes as submitted. Motion carried.

The following Notice of Actions were submitted for approval:

**Appeal No. 759 – John Manahan.** A motion was made by Kurt Allman and seconded by Ernie Norton to approve the Notice of Action as submitted.

**Appeal No. 760–Donald Schwab.** A motion was made by Kurt Allman and seconded by Leigh Furnal to approve the Notice of Action as submitted.

### **Agenda Items:**

**Appeal No. 761:** John and Carol Savory, 4108 Prospect Street, Williamson. A request for an area variance for rear setback relief and overall lot coverage to build an addition on their existing residence. Property is owned by the applicant and is located at 4108 Prospect Street, Williamson. Zoned R-1.

John Savory addressed the Board. He stated that due to parents' ill health it is necessary to have them live with them. Unfortunately, their home only has one small extra bedroom and bath. He would like to build a 24' x 24' addition that would include a larger bedroom, bath and sitting room. The new addition would be 20 feet to the rear lot line. Zoning allows for 40-foot setback. Mr. Haywood informed the Board that with the new addition the overall lot coverage would be 33 percent, which exceeds the 25 percent maximum lot coverage. Leigh Furnal asked Mr. Haywood if there were other houses in this type of neighborhood that exceeded the lot coverage. Mr. Haywood thought that there probably were based upon the

small lot sizes of the many lots in the neighborhood, but not sure of any specific ones. Chairman Peters asked if there was any public comment. There was none.

Leigh Furnal made a motion to grant Appeal No. 761 with 20 feet of relief with the total overall lot coverage not to exceed 33 percent. Kurt Allman seconded the motion. Upon roll call vote the following members voted as follows:

Leigh Furnal – Yes  
Kurt Allman – Yes  
Jay Peters – Yes

Bruce Akins – No  
Ernie Norton – Yes

**Appeal No. 762:** Jacqueline White, 3865 Ridge Road, Williamson. A request for a variance to replace a singlewide manufactured home with a new doublewide manufactured home. Property is owned by applicant and is located at 3865 Ridge Road. Zoned R-1.

Jackie White addressed the Board. She indicated that she and her husband wish to replace their existing singlewide manufactured home with a 28' x 48' doublewide manufactured home. Mr. and Mrs. White currently live part of the year in Florida and wish to move back to Williamson on a permanent basis. Mrs. White explained that their current home is just not large enough. Steve Haywood explained to the Board that their residence is a pre-existing, non-conforming use but the new request for a doublewide would increase the degree of non-conformity. He also indicated that he would have issued a permit to Mr. and Mrs. White if they were going to replace the existing manufactured home with another singlewide manufactured home.

The Board indicated that there has been a manufactured home on this lot for many years. Chairman Peters asked if there was any public comment. There was none. Ernie Norton made a motion to grant Appeal No. 762 to replace the existing singlewide manufactured home with a 28' x 48' doublewide manufactured home. Bruce Akins seconded the motion. Upon roll call vote, all voted in favor of the motion.

**Appeal No. 763:** Roger and Theresa Baker, residing at 2732 Minstead Road, Newark, NY. Applicant is requesting a commercial use variance in an R-1 zone. Property was a pre-existing, nonconforming use. Property is owned by applicant and is located at 6210 Route 21, Williamson, NY. Zoned R-1.

Roger Baker addressed the Board. He indicated he recently purchased the property with the intention of opening a small engine repair shop for lawnmowers, etc and to sell parts, with the possibility of selling lawn mowers in the future. Mrs. Baker also presented the Board with a petition of neighbors in support of their proposed business. Mr. Haywood indicated that this property is in and R-1 zone but had a pre-existing, non-conforming use. He also stated that if this property were approximately 300 feet south, it would not need a variance because it would be in a C-1 zone. Jay Peters asked Mr. Baker if any machinery would be kept outside. He indicated that would not be the case. Kurt Allman inquired about noise and running of machinery outside. Mr. Baker indicated that he would be working on machinery inside. A question was raised about hours of operation. Mr. Baker thought 8-6 Monday through Friday and possibly half days on Saturdays.

Orlo Plyter addressed the Board and gave some history of the American Legion and this property. He indicated that he supports Mr. and Mrs. Baker's business endeavor. There were many neighbors present that spoke and were also in support of the Baker's new business. Jay Peters asked Mr. Plyter and the neighbors if they had any concerns and if any restrictions should be placed on the variance. No one addressed any.

David Alexander addressed the Board. He indicated that he would be a business partner with Mr. Baker and that he and Mr. Baker would really like to work with the community of Williamson.

Jay Peters read a letter to the audience from Lorraine Mason, President of the Williamson Chamber of Commerce in total support of Mr. and Mrs. Baker's business endeavor (Bruce Akins and Leigh Furnal were also in total agreement).

Jay Peter asked if there were any other concerns or questions. There were none.

Kurt Allman made a motion to grant Appeal No. 763 with the stipulation that business operation would be within the hours of 8 a.m. and 8 p.m. Monday through Friday and 8 a.m. and 6 p.m. on Saturday. Leigh Furnal seconded the motion. Upon roll call vote, all voted in favor of the motion.

There being no further business, Ernie Norton made a motion to adjourn the meeting at 8:35 p.m. Kurt Allman seconded the motion.

Respectfully submitted,

Paula Dathyn  
Secretary  
Zoning Board of Appeals