

APPROVED

A public hearing before the Zoning Board of Appeals of the Town of Williamson was held on August 25, 2011, in the Town Conference Room at 8:05 p.m.

The following members were

Present: Jay Peters, Chairman
Ernie Norton
Bruce Akins
Jordan Szklany
Kurt Allman

Also present: Dave DeFisher, Bill DeFisher, Larry Lindner, Floyd Johnson and Stephen C. Haywood, Assessor/Building Inspector.

The minutes of the July 28, 2011, meeting were submitted for approval. A motion was made by Bruce Akins and seconded by Kurt Allman to approve said minutes. All voted in favor of the motion.

The following Notices of Actions were submitted for approval

Appeal No. 786 – Alan Verbridge – Kurt Allman made a motion to approve the Notice of Action as submitted. Jordan Szklany seconded the motion. Motion passed.

Appeal No. 788 – Richard Mendoza and Linda Kimel – Bruce Akins made a motion to approve the Notice of Action as submitted. Kurt Allman seconded the motion. Motion passed.

Agenda items:

Appeal No. 789: David DeFisher, of 5546 Pease Road, Williamson, NY. Applicant is requesting a Special Use permit for a farm labor facility. Property is owned by applicant and proposed labor housing to be located at 2946 Ridge Road, Williamson. Zoned A-1.

Dave DeFisher addressed the Board. A letter was submitted to the Board as to his intentions for applying for the special use permit. He indicated that two years ago he was looking into getting additional housing since his farm has grown to the point that he needs more seasonal labor. He was looking into additional housing for approximately 8-10 workers. A year and a half ago Mrs. Spencer approached Mr. DeFisher and explained that she wanted to sell her house so that she could move in with her daughter. Mr. DeFisher indicated that upon looking at the house, he found the house not only is large enough to house the additional workers that were needed and that the cost would be substantially less than building a new facility but also it was close to his north border of

his farm. Mr. DeFisher also confirmed with the NYS Dept of Health that this structure could be used as a migrant facility and was approved for up to 15 workers. Mr. DeFisher indicated that the housing would be used 2-3 months out of the year. Chairman Peters asked Mr. DeFisher if he foresees using the house on a year-around basis. Mr. DeFisher indicated that he did not foresee that happening. Mr. DeFisher explained to the Board that he uses all H2A Jamaican workers and that the workers are to be on their best behavior or they could not work here the following year.

Discussion ensued.

Chairman Peters asked if there were any public interest or concerns. Jeff Parent called Mr. Haywood's office and inquired about the appeal. Paula Datthyn read the letter which was submitted by Mr. DeFisher as to his intentions for the appeal. After reading the letter, Mr. Parent indicated that he did not have any problems with the proposed labor housing.

Floyd Johnson addressed the Board. He indicated that he was happy to see that after Mr. DeFisher bought the property he had cleaned it up. It was his opinion that Mr. DeFisher would maintain the property and he had no problem with the proposed labor camp.

Discussion ensued.

There being no further discussion, Kurt Allman made a motion to refer Appeal No. 789 to the Planning Board. Ernie Norton seconded the motion. Motion passed.

Larry Lindner addressed the Board. He did have a concern regarding the number of people that would be living there. Mr. Lindner indicated that he would like to see restrictions as to how many people would be living there at one time. Jay Peters asked how many could live there. Mr. DeFisher indicated there were 6 bedrooms and two baths. He reiterated that he was approved for 15 laborers by the Dept. of Health but thought he would have 12 laborers maximum.

Appeal No. 790: Rich Mendoza and Linda Kimel, of 6506 Lake Avenue, Williamson, NY. Applicant is requesting an area variance to construct a deck. Zoned R-1.

Mr. Mendoza and Ms. Kimel were not present for the meeting and Mr. Haywood spoke on their behalf. He recapped that at last month's meeting Mr. Mendoza and Ms. Kimel's Appeal for a use variance to allow two residential uses on one parcel was denied. They are now applying for a variance for the deck. The houses are 10 feet apart. The reason for the connecting deck is for Ms. Kimel's aging mother to get back and forth between the two houses. Kurt Allman had a concern that if should one of the houses be sold the deck would be a problem.

After some discussion, Kurt Allman made a motion to grant Appeal No. 790 with the stipulation that if either house goes up for sale, the connecting deck must be removed. Ernie Norton seconded the motion. Upon roll call vote, all voted in favor of the motion.

Jay Peters brought up a couple of issues regarding two variances that were granted in the past. Mr. Peters wanted to make sure that they were not in violation of the terms of the variance granted. The first issue is King's Auto and the amount of automobiles that were sitting around his business. It now appears that the problem has been taken care of.

The second issue was the variance granted to Paul Winslow on Russell Road for an auto body shop. Jay noticed an addition that was built on the front of his building and was concerned that he was expanding his business. Steve Haywood spoke with Mr. Winslow and found that the addition was for displaying Mr. Winslow's personal show cars only.

Mr. Haywood seemed to have clarified the issues.

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 J. Datthyn, Secretary