

A public meeting of the Zoning Board of Appeals of the Town of Williamson was held on November 30, 2017, in the Town Complex meeting room at 7:00 PM.

The following members were present: Ernie Norton, Chairman
Daniel DeCracker
Tim Gulick
Noah Knataitis
Chuck Monsees

Also present were Craig & Susan DeNagel, Erik Hargrave, and Tom Alexander, Town Code Enforcement Officer.

The minutes of the October 26, 2017, meeting were reviewed for approval. A motion was made by Tim Gulick to approve said minutes as submitted, and was seconded by Noah Knataitis. Four voted in favor of the motion, with Chuck Monsees abstaining.

Notice of Action for Appeal No. 869: Baldwin Richardson Foods Co of 3268 Blue Heron Vw, Macedon, NY. Request for area variance. Property is owned by applicant and is located at 4949 Route 104, Williamson. Zoned I-1 (Industrial).

A motion to approve Notice of Action for Appeal No. 869 as written was made by Dan DeCracker and seconded by Ernie Norton. Four voted in favor of the motion, with Chuck Monsees abstaining.

Notice of Action for Appeal No. 870: Jennifer (DiIulio) Salatino of 7647 Hamilton St, Williamson, NY. Request for area variance. Property is owned by applicant and is located at 7647 Hamilton St, Williamson. Zoned MU-2 (Pultneyville Mixed Use).

A motion to approve Notice of Action for Appeal No. 870 as written was made by Tim Gulick and seconded by Dan DeCracker. Four voted in favor of the motion, with Chuck Monsees abstaining.

Notice of Action for Appeal No. 871: Charles & Irene Searles of 4331 Lake Rd, Williamson, NY. Request for area variance. Property is owned by applicant and is located at 4331 Lake Rd, Williamson. Zoned L-R (Lakefront Residential).

A motion to approve Notice of Action for Appeal No. 871 as written was made by Tim Gulick and seconded by Noah Knataitis. Four voted in favor of the motion, with Chuck Monsees abstaining.

Agenda Items:

Appeal No. 872: Erik Hargrave of 7618 Shoreline Blvd, Ontario, NY. Applicant is requesting a use variance to construct an accessory structure. Property is owned by applicant and is located on Arbor Rd, Williamson. Zoned A-1 (Agricultural).

Public Hearing Opened at 7:03 PM

Mr. Hargrave has purchased this plot of land from his grandfather's estate, and wishes to build a home, garage, and a post-frame garage. He requests a two-part variance: (1) to build the accessory post-frame

structure in advance of his residence, and (2) to place this accessory structure closer to the road that the front of the residence (once the latter is constructed).

There is a Verizon fiber-optic line crossing the parcel which limits his options. There is an existing barn at the north end of this parcel, but since it is very old and was used for cows, there is little use for it as a residential accessory structure. Further, he wishes to place the house and barn closer to the woods which are on the south end of the parcel, which would allow the remainder of the tillable land to continue to be farmed.

Mr. Hargrave explained his purposes in the layout he has chosen and in the order of constructing the buildings. He expects to have the house built by 2020.

No comments have been received from the public.

Public Hearing closed at 7:29 PM.

Following discussion, the board determined that any variance to place the accessory structure closer to the road that the front of the residence (number 2 requested by Mr. Hargrave) would need to be applied for under §178-25B(3) at another time, based on the required timeframe of obtaining a building permit within six months of the approval of said variance. The board encouraged Mr. Hargrave to adjust the layout of his lot so as to not need an additional variance, since the stamped site plan (complete, with the house and septic system) is required when applying for a permit for the post-frame garage and there is no guarantee that a future variance would be approved, particularly since it would then be a self-created hardship.

This is a Type II SEQR action and requires no further review.

A motion was made by Noah Knataitis to grant Appeal No. 872, only allowing the accessory structure to be constructed prior to a primary structure (house). This variance does not address any other requirement under 178 Attachment 1:1 of Town of Williamson Zoning Code. The motion was seconded by Tim Gulick. All voted in favor of the motion.

Appeal No. 873: Craig & Susan DeNagel of 7752 Hamilton St, Williamson, NY. Applicants are requesting a use variance to construct an accessory structure. Property is owned by applicants and is located on Maken Rd, Williamson. Zoned A-1 (Agricultural).

Public Hearing Opened at 7:45 PM

The DeNagels own 5.28 acres of vacant land on Maken Rd. They ultimately plan to build a ranch house on the parcel, but wish to construct a post-frame accessory structure first. They intend to place the pole barn 50' from the east lot line (bordering McVeys), though after discussion with the McVeys, the barn will be moved to about 50' directly south of where indicated on the proposal which was submitted with their appeal.

The DeNagels are advised that when applying for this building permit, a complete site plan is required containing both the house and the accessory structure.

Public Hearing closed at 7:50 PM.

This is a Type II SEQR action and requires no further review.

A motion was made by Tim Gulick to grant Appeal No. 873, allowing an accessory structure to be constructed prior to a primary structure (house). The motion was seconded by Ernie Norton. All voted in favor of the motion.

A brief discussion followed among the board regarding accessory structures being constructed prior to primary, along with a review of the Law regarding the two kinds of variances.

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

Respectfully submitted,

Christine Nagel, Secretary