

A public meeting of the Zoning Board of Appeals of the Town of Williamson was held on April 26, 2018, in the Town Complex meeting room at 7:00 p.m.

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

Also present were Amy Catalano, Fran Fino, Rick Vos, Kyle Bolinger, Nancy Gowan, Randall Storms, Eric Herriman, John Noto, Fedele Noto, and Tom Alexander, Code Enforcement Office.

The minutes of the March 22, 2018, meeting were reviewed for approval. A motion to approve said minutes as submitted was made by Dan DeCracker and seconded by Chuck Monsees. All voted in favor.

Agenda Item:

Appeal No. 875: Kyle Bolinger of 7710 Jay St, Williamson, NY. Applicant is requesting an area variance to construct a detached garage. Property is owned by applicant and is located at 7710 Jay St, Williamson. Zoned R-1 (Residential).

Public hearing opened at 7:02 PM

The applicant wishes to construct an 864 sq ft detached garage north of the existing home, which is set back 865' from the road. The proposed garage would be setback 832'. It would be south facing, with a proposed height of 13'2" at the peak. The structure would not be visible from the road. The façade will match the exterior of the home.

The north side of the house contains the gas meter, the gas line, and an air conditioner unit, which does not allow placement of the garage there. Behind the house, land drops off behind the house, plus a pond is there; these further limit potential placement. The primary hardship is topography.

No comments have been received from the neighbors.

Public hearing closed at 7:09 PM

A motion was made by Tim Gulick to grant Appeal No. 875 allowing 45' of relief to set the accessory structure forward of the front of the primary structure. Noah Knataitis seconded the motion. T. Gulick, C. Monses, E. Norton, and N. Knataitis voted in favor; D. DeCracker voted against. Motion passed.

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

Appeal No. 877: Johannes Vos of 7487 East Townline Rd, Williamson, NY. Applicant is requesting an area variance to construct a post-frame accessory structure. Property is owned by applicant and is located at 7487 East Townline Rd, Williamson. Zoned A-1 (Agricultural).

Public hearing opened at 7:13 PM

Mr. Vos wishes to construct a 30' x 60' one-story post-frame structure at the northeast corner of his property, setting it 10' from the north side lot line and 80' from the road, which places the unit forward of the front of the house. This location allows use of the existing driveway and keeps the building out of the area of his property which floods from the creek 2-3 times per year. The building would be used as a farm winery processing area and include a (future) small tasting area.

The Notos expressed their disagreement with the project, first that a commercial enterprise takes away from the neighborhood, and second that the building would be so much closer to the road than the homes in the area.

The existing barn is two stories and measures 34' x 52'. It is in the flood area. It is not feasible to attach the new structure to this one because of the water. The land behind the creek is susceptible to flooding two to three times per year for a distance of 100'. Mr. Vos also pointed out that agricultural and home businesses currently exist on all sides of his property.

The Board discussed Code requirements and alternative locations. Mr. Vos stated that the land on the south side of the house is 4-6' below grade and is also very wet, so it is a poor location for a structure. To place this structure in directly in front of the existing barn takes away any access to the main door of that barn. The Code Enforcement Officer reminded those present that any decision must be based on as the land exists today (and not historically). The primary hardship is topography.

Public hearing closed at 7:44 PM

A motion was made by Dan DeCracker to grant Appeal No. 877 allowing 43' of front setback relief to place the accessory structure forward of the primary structure, and not allowing setback relief on the north side. The motion was seconded by Ernie Norton. All voted against the motion. Motion denied.

Appeal No. 878: Pultneyville Fire Co of 4049 Lake Rd, Williamson, NY. Applicant is requesting use and area variances to install and electronic sign. Property is owned by applicant and is located at 4049 Lake Rd, Williamson. Zoned L-R (Lakefront Residential).

Public hearing opened at 7:52 PM

Pultneyville Fire Co was represented by Nancy Gowan, President. The existing sign is very old and in significant disrepair. The Fire Co wishes to remove this sign and install a new, electronic sign closer to the front door of the building. Though it would be farther from the front property line than the current sign, it would be closer than the 25' required by Code. A variance is also needed to install an electronic sign in this district. The dimensions of the proposed sign do meet the Code requirements.

No comments have been received from the community.

Public hearing closed at 7:56 PM

A motion was made by Dan DeCracker to grant Appeal No. 878 to allow the installation of an electronic sign and allowing 17' front setback relief. Tim Gulick seconded the motion. C. Monsees, E. Norton, D. DeCracker, and T. Gulick voted in favor of the motion; N. Knataitis abstained. Motion passed.

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

Appeal No. 879: Randall Storms of 4046 Stanford St, Williamson, NY. Applicant is requesting an area variance to replace a detached garage. Property is owned by applicant and is located at 4046 Stanford St, Williamson. Zoned MU-1 (Mixed Use).

Noah Knataitis recused himself from this proceeding.

Public hearing opened at 7:59 PM

Mr. Storms has an existing detached garage on his property that was constructed in the early 1930's, with an addition added at an unknown date. This structure sits 2.5 feet from the property line. Due to the condition of the foundation and floor, he wishes to demolish the existing structure and build a new detached garage. The new building would be four feet longer than the old one.

No comments have been received from the neighbors.

Public hearing closed at 8:03 PM

A motion was made by Dan DeCracker to grant Appeal No. 879, allowing an additional 4' of non-conformity and allowing 2.5' of west side setback relief. Chuck Monsees seconded the motion. All voted in favor. The motion passed.

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

Appeal No. 880: Amy Catalano of 2711 Rosemarie Ln, Williamson, NY. Applicant is requesting an area variance to construct a post-frame accessory structure. Property is owned by applicant and is located at 2711 Rosemarie Ln, Williamson. Zoned A-1 (Agricultural).

Public hearing opened at 8:06 PM

The Catalano's home is on the northwest corner of Rosemarie Ln and Arbor Rd, and therefore under current Code they must meet front setback requirements on both Rosemarie Ln and Arbor Rd. They wish to construct a 32' x 24' post-frame accessory structure west of their house and west of the existing accessory structure. The driveway is also on that side of the property. The east side of the property contains their septic tank and leach lines and is the space for their sons to play outside.

The purpose of the building is to store cars and personal property, enabling them to remove some of the trailers that are used now for storing these items. The asphalt of the driveway would be extended only enough to square off the pavement to the new building.

Some neighbors expressed concern about the “commercial” appearance of this property. There is no evidence of a commercial use at this property (the family races cars together as a hobby), and the residential accessory structures are permitted by Code. The Code Enforcement Officer pointed out that if this was not a corner lot, no variance would have been required for this structure. In addition, he calculated that this structure makes the total amount of impervious surface coverage less than 16,800 sq ft, which is well under the 21,800 maximum for this lot. The primary hardship is the pre-existing layout of the lot.

Public hearing closed at 8:28 PM

A motion was made by Tim Gulick to grant Appeal No. 880 as submitted, allowing 145’ of setback relief in relation to Arbor Rd, allowing the proposed accessory structure to be placed forward of the west side of the house. Noah Knataitis seconded the motion. E. Norton, N. Knataitis, T. Gulick, and D. DeCracker voted in favor of the motion; C. Monsees voted against. The motion was passed.

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

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

Respectfully submitted,

Christine Nagel, Secretary