

**APPROVED**

A public hearing before the Zoning Board of Appeals of the Town of Williamson was held on December 22, 2011, in the Town Conference Room at 8:00 p.m.

The following members were present:

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

Also present: Konstantinos Yannas, Evangelos Yannas, Tim Gulick and Stephen C. Haywood, Assessor/Building Inspector

The minutes of the November 17, 2011, meeting were submitted for approval. A motion was made by Ernie Norton and seconded by Bruce Akins to approve said minutes. All voted in favor of the motion.

The following Notices of Action were submitted for approval:

Appeal No. 793 – Dale Wood (Christina Barnum, property owner). Ernie Norton made a motion to approve the Notice of Action as submitted. Kurt Allman seconded the motion. All voted in favor of the motion.

Appeal No. 794 – Tim and Deanna Reynolds. Bruce Akins made a motion to approve the Notice of Action as submitted. Kurt Allman seconded the motion. Motion passed.

**Agenda items:**

Appeal No. 795: Konstantinos Yannas of 431 Carlsam Dr, Rochester, NY. Applicant is requesting front setback relief for construction of a snack bar. Property is owned by applicant and is located at 3854 Route 104, Town of Williamson. Zoned C-2.

Mr. Yannas (Gus) addressed the Board. He indicated that he had recently purchased the existing ice cream shop on Route 104 and is planning on tearing it down and rebuilding a new one. The new building will be 20' x 36' and will be built on the same footprint as the current building, which would include the front deck. Mr. Yannas indicated that once the new building was done, it would still be used as an ice cream shop. Mr. Yannas is asking for 75 foot of relief since he cannot move the new building back due to the location of the septic system behind the existing building.

Jay Peters asked if sewer was available to that property. Mr. Haywood indicated that it was not. The last sewer line is located to the east of Mr. Yannas' property. Chairman

Peters asked if the Town was obligated to hook sewer up to the property. Mr. Haywood indicated that it was not. Mr. Haywood indicated that if Mr. Yannas wished to have sewer hooked up to the property, it would be at Mr. Yannas' expense and at that time, would be dedicated back to the Town. Mr. Peters asked Mr. Haywood if the current septic system meets current code. Mr. Haywood indicated that it did.

Kurt Allman asked Mr. Yannas if the building could be turned to make the building more in conformance. Mr. Yannas indicated that turning it would change the way in which he wished to layout the inside of the building.

Mr. Haywood asked Mr. Yannas if he had any intentions in the near future to build a restaurant on the site. Mr. Yannas indicated that he did not. Jay Peters asked Mr. Haywood if the variance needed Planning Board approval. Mr. Haywood indicated that it did not since it was already an approved business.

Jay Peters asked Steve Haywood what the average setbacks were along Route 104 for the area business. Mr. Haywood indicated that most businesses were non-conforming as far as front setbacks were concerned.

Jay questioned parking. Mr. Yannas indicated that the parking would be the same as it now, which would include parking to the west.

There being no further discussion by the Board, Ernie Norton made a motion to grant Appeal No. 795 as submitted with 75 feet of relief. Jordan Szklany seconded the motion. Upon roll call vote, all voted in favor of the motion.

There being no further business, a motion was made by Kurt Allman to adjourn the meeting. Ernie Norton seconded the motion. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Paula J. Datthyn, Secretary

**Note: This was Chairman, Jay Peters, and Kurt Allman's last meeting serving on the Zoning Board of Appeals.**