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**Town of Groveland**  
**Zoning Board Minutes**  
4955 Aten Rd.  
Groveland, NY 14462  
**Monday, February 20, 2024**

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Members Present:

Abigail Bean

David Tozier

Phil Livingston Jr.

Code Officer: Ron Maxwell

Others:

Absent:

William Magee

Michael Musumeci

Pattie Johnston

**1. Call to Order**

Interim Chair Abigail Bean called the meeting to order at 7:13 PM. There was a quorum present. Interim Chair Bean began the meeting by reading aloud the Public Hearing Announcement for the variance application. The Public Hearing had appeared in the Livingston County News on February 9, 2024.

**2. Public Hearing: Ryan Johnstone, 6749 Bailey Road, Groveland, NY 14462 Tax Map #126.00-1-19.12**

Interim Chair Bean invited Mr Johnstone to explain what he is looking to do. Mr Johnstone explained that he is looking to add a storage building in the area to the north of his house, he explained that due to the hill he doesn't really have any other place to put the building.

CEO Maxwell stated that Highway Superintendent Harvey has no problem with the setback.

It was confirmed that the public hearing sign was present at the property and visible to the public.

There have been no negative comments from the public in reference to the project.

County Planning has also considered variance request as a matter of "local option."

The board reviewed the five questions and included in file:

1. Will an undesirable change be produced in the character or the neighborhood or will a detriment to nearby properties be created by granting the variance?

No, it is not inconsistent with the surrounding properties

2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance?

No, because of the topography of the land

3. Is the requested variance substantial?

No, because it is less than 50%.

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No, because it is not inconsistent with the surrounding properties

5. Is the alleged difficulty self-created?

Yes, because it is the applicant's choice to add a new building.

Action number 16 is on the Type 2 list, so no other SEQR is required.

Dave Tozier made the motion to grant a 20 foot front yard set back.  
Phil Livingston Jr seconded the motion.

All in favor: Abigail Bean- AYE, Dave Tozier- AYE, and Phil Livingston Jr.- AYE  
Opposed: None  
Abstained: None  
MOTION PASSED

The necessary form was signed and given to the Town Clerk to be processed.

Phil Livingston made the motion to close the public hearing, Dave Tozier seconded the motion.

All in favor: Abigail Bean- AYE, Dave Tozier- AYE, and Phil Livingston Jr.- AYE  
Opposed: None  
Abstained: None  
MOTION PASSED

**3. Consider Zoning Board Past Minutes from November 20, 2023:**

The above was next considered for approval/comments.

Phil Livingston Jr made the motion to approve the minutes as presented, David Tozier seconded the motion.

All in favor: Abigail Bean- AYE, Dave Tozier- AYE, and Phil Livingston Jr.- AYE  
Opposed: None  
Abstained: None  
MOTION PASSED

**4. CEO Report**

CEO Maxwell informed the board they will have three variances next month. He filled in the board in about the upcoming variance for the property on Flats Road that is looking to tear down and rebuild.

**5. Other Business**

None.

**6. Adjournment:**

There being no further business to conduct, interim chair Abigail Bean adjourned the meeting at 7:58 PM.  
Phil Livingston Jr made the motion to adjourn the meeting.  
Dave Tozier seconded the motion.

All in favor: Abigail Bean- AYE, Dave Tozier- AYE, and Phil Livingston Jr.- AYE  
Opposed: None  
Abstained: None  
MOTION PASSED

Submitted by,

*Trista A Tozier*

Trista A Tozier  
Zoning Board Secretary