

Town of Groveland
Zoning Board of Appeals
September 21, 2009

Zoning Board of Appeals members present: Steve Willison, Chairman, David Doty, Tim Sullivan, Phil Livingston and Ron Merrick

Also present: CEO Ron Maxwell, Councilman Burt Lyon and Louis Brothers, and John White.

Chairman Steve Willison opened the meeting at 7:00 PM.

Review and Approval of minutes: The 8.17.09 meeting minutes of the ZBA were reviewed. Motion by David Doty to approve the minutes as submitted, seconded by Tim Sullivan. Motion carried.

Steve Willison attended a meeting regarding the installation of a sprinkler system in the barn that will be used by the Discovery Center at Bruce Dehm's property. Mr. Dehm will be receiving a letter stating he will not be able to use the barn until he meets State building code.

Chairman stated that an appeal has been filed with regard to the issuance of a building permit at the Ippolito property on Barber Hill Road and not to have any discussion regarding it. The Town attorney is reviewing it before a hearing date is set.

The Chairman opened the public hearing and read the notice of Louis F. Brothers for the renewal of a conditional use permit to operate a business to sell used cars at property located at 7497 NYS Route 63. The Chairman pointed out that the advisory comments from the County Planning Board were the same as last year when the conditional use permit was modified to include a second lot. Mr. Brothers stated that at the present time he does not have any cars on the second lot. Tim Sullivan stated that there was a super majority when they voted last year which should negate the disapproval of County Planning for a second time. There have been no objections from the neighbors on either side and there was no public comment.

Motion by Tim Sullivan to approve the renewal of the conditional use permit of Louis Brothers for a period of three years; seconded by David Doty. Motion passed unanimously.

The Chairman read the public notice for the appeal of John L. White, Jr. for a 6' front setback variance to install a 24' by 24' pre-built 2 story garage, on property located at 5520 Groveland Road, that fails to meet Section 24, F1 of the Town of Groveland Zoning Laws requiring a front setback of not less than 60 feet.

David Doty asked Mr. White why he couldn't position the garage 6' farther back. John White stated that the current driveway was paved and if the garage was setback 6' farther he would have to re-work the driveway. He also stated that the well they are using is approximately 5' feet away from the driveway

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and that it was the second well they had to have drilled. The well driller used his discretion as to placement of the well. David Doty also asked if he could put the doors facing toward the road. Mr. White stated that the grade is fairly steep and the back part of the garage would be below grade and there was a swale on the boundary line of the property. He also stated that because of the swale it is more unlikely that it would bother a future neighbor. It was suggested that an additional foot be allowed due to the lay of the land to give enough leeway. There was no public comment.

Motion by David Doty to grant a front variance of 7' to allow a front setback of 53' to install a 24' by 24' pre-built 2-story garage, on property located at 5520 Groveland Road, seconded by Ron Merrick.

Motion passed unanimously 4 in favor, 1 opposed.

Motion by Ron Merrick to adjourn the meeting at 7:40 PM; seconded by David Doty. Motion carried.

Submitted by,

Karol Thomas

Recording Secretary