

TOWN OF GAINES PLANNING/ZONING BOARD MEETING
March 26, 2014 7:00PM

Present: Chairman Michael Grabowski, Vice Chairman Marilynn Miller,
Members: David Thom, George Fleshman

Excused: Members: Ray Burke, Curtis Strickland

Guests: John Russell, Tibbs Alhberg, Linda Schwartz, Anna Murray

Chairman Grabowski called the meeting to order at 7:02PM with the Pledge of Allegiance to the Flag.

Approval of March 3, 2014 Minutes

On a motion of Vice Chairman Miller, seconded by Member Thom, the following was

Carried Ayes 4 Grabowski, Miller, Thom, Fleshman
Nays 0

The March 3, 2014 minutes are approved as is.

Opening of Public Hearing Lake Ridge Fruit Company Area Variance

Chairman Grabowski read the public hearing notice at 7:05pm:

PLEASE TAKE NOTICE that the Town of Gaines Zoning Board of Appeals will conduct a Public Hearing to review the application for an area variance for Lake Ridge Fruit Co. located at 14234 Ridge Rd. Albion, New York. The Public Hearing will be held on March 26th, 2014 at 7PM at the Gaines Town Hall 14087 Ridge Road Albion, New York 14411. All persons attending will be heard for or against the application.

Dated March 20th, 2014

Carol L. Claus
Secretary
Zoning Board of Appeals

The public was asked if they had any comments or questions. Linda Schwartz asked if there would be any presentation. Chairman Grabowski explained this is just a hearing for public comments. He explained that Lake Ridge Fruit would like to put up a new building, approximately 5700 sq ft, 62 ft wide. It will be used for dry storage with no refrigeration. With no further questions or comments the hearing was closed at 7:10pm.

Chairman Grabowski informed Mr. Russell of Lake Ridge Fruit Company that we would meet on April 7th to review the site plan, then it would go to county April 24th, and that he should plan on attending both meetings.

CEO Roger Kopas stated the only issue he sees with this building is the 50' set back, which is why they are seeking the Area Variance.

Chairman Grabowski then stated that Local Law1 was changed to a 50' set back in 2002.

Chairman Grabowski reviewed the five questions that will be used to grant or deny the Area Variance.

- 1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the grant of the variance.
- 2) Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.
- 3) Whether the requested variance is substantial.
- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- 5) Whether the alleged difficulty was self-created (that it was will not necessarily preclude the granting of the area variance).

With no further business on a motion from Member Thom, seconded by Member Fleshman the meeting was adjourned at 7:15PM.

Respectfully Submitted,
Carol Claus
Zoning Board of Appeals Secretary