

Town of Gaines Zoning Board of Appeals Minutes

November 12, 7:00 P.M.

2019

Meeting called to order at 7:00 by Chairperson Morrisey

Present - Morrisey, Thom, Strickland; Absent - Navarra; Excused - Miller

Guests - Tammy Cary, Darin Mackie, Tina Sills, Dorothy Wilson and Kevin Wright

Opened with Pledge of Allegiance

Reading and Approval of minutes from meeting of October 8, 2019: Motion to approve the minutes, as amended, was made by Strickland, Seconded by Thom. Ayes - 3; Nay - 0 Carried

Two Training Certificates were received from Gerard Morrisey

OLD BUSINESS

PUBLIC HEARINGS

1. Kevin D. Wright, 2861 Allens Bridge Road, Tax Map 60.-1-20 requesting minor subdivision to add land from Torrey Farms. The notice from the Batavia Daily News was read.

This is a SEQR Class II. There were no comments or correspondence. Copy of Letter from Maureen Torrey was received. Notarization is missing. Strickland asked if the letter was notarized. Gerard said that since we do not require notarization on applications, we can accept this letter without it being notarized. A copy of the letter was sent to all board members. The 2001-2002 Planning Board had a proposition that all splits of any type are required to be brought before the board. Since there is no more Planning Board, this has fallen to the Zoning Board of Appeals. The Town Zoning laws are stricter than the state's.

Public Hearing was closed. We do not need to go through the County, we can act tonight. Motion to approve made by Thom, seconded by Strickland. Vote was taken by roll call - Morrisey - aye, Thom - aye and Strickland - aye. 3-0 Carried The application is approved.

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2. Gwen Mackie, 13659 Ridge Road, Tax Map 50.-1-7.1 (by Darin Mackie, POA) requesting a variance to subdivide Ridge Road frontage into two parcels with 187.89 front feet each, leaving rear acreage in excess of 60 acres.

This is a SEQR Class II. There were no comments or correspondence. Thom asked about access to farm land and if Town is ok with the two lots being smaller than the zoning laws require. When the lots are split, the farmland will go with lot 1, tax map 50-1-7.1; Lot 2 at 13655 Ridge Road will be split off. Real Property Office will issue new tax map number when the deed is filed and there will be a new assessment. The motion to approve the subdivision of lot 2 as shown on the survey dated 9/15/19 was made by Thom, seconded by Strickland. Ayes -3, Nays -0 Carried.

New Business

1. Dorothy L. Wilson, 3339 Eagle Harbor-Waterport Road, tax map 60.4-1-43, request for minor subdivision to sell 66 x66 foot rear area to her neighbor to the north. Tax map 60.4-1-42.

Dorothy Wilson wants to sell this parcel to her neighbor, Mrs. Sills. It is a non-conforming lot. It is a SEQR Class II. We do not need county approval since it is a minor residential change and has nothing to do with septic. Both lots are on public water.

Motion to hold a public hearing at the Town Hall December 10, 2019 at 7:05 was made by Thom, Seconded by Strickland. Ayes 3, Nays- 0 Carried

Chairperson's Report and Member Comment None

PRIVILEGE OF THE FLOOR

Thom wants to know why we have to have these hearings for these minor changes, as does Kevin Wright. We have to be fair and follow the codes for all changes, no matter how small the changes may be.

There is a G/FI Reg. Planning Friday, November 15 at the Quality Inn in Batavia from 9-5. Cost is \$85.00, reimbursable.

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ADJOURNMENT Motion to adjourn was made by Strickland at 8:00,
Seconded by Morrisey. Aye - 3 Nay - 0 Carried

Respectfully submitted by Lynda Blake, Secretary

DRAFT