

**Town of Geneva
Zoning Board
July 23, 2024
DRAFT**

Present: James Smith, John Robbins, John Wilson, Phillip Ilacqua, Robert Rose

Absent: Pat Cardinale

Staff: Floyd Kofahl, Code Enforcement Officer, Amy Naegele, Clerk of the Board, Steve High, Ontario County Planning Board Representative

Others present: 2 members of the public

Chair John Wilson called the meeting to order at 6:30 pm.

Pledge of Allegiance

**Public Hearing – Area Variance
Cragg Property ZB2024-004**

The applicant wishes to extend the garage toward the south property line by two feet. Per Town of Geneva Code 165-8 E (6) Minimum side yard setbacks shall be 12.5 feet, except in the case of a semidetached one-family dwelling or townhome dwelling, in which case the side yard setback between units may be zero feet. The garage is currently 8 ft from the side property line and is proposed to be 6 ft from the side property line. This would be a 52 percent variance request overall, increasing from a 37.5 percent variance.

Michael Cragg addressed the Board. He explained the personal history of the house and he and his wife's plans to move in next year. He explained that there are few projects that they want to do, one of which is to extend the garage by two feet to the south. He noted that they had already spoken with the neighbors on that side. Robert Rose asked about plans for the porch. Floyd confirmed that the plans for the porch meet setback requirements.

John Wilson checked if any members of the public wished to speak. There were none. John Robbins made a motion to close the public hearing. 2nd by John Wilson. All in favor, motion carried.

John Wilson asked Floyd for his comments. Floyd explained that the existing garage is already past the setback. He confirmed that he could not find a previous variance approval but noted code changes throughout the years. He confirmed this is a preexisting nonconforming lot. The change in the setback would be from 8 feet to 6 feet. He noted that this is not uncommon to see in this neighborhood. He did receive a call from the neighbor, and they confirmed they did not have an issue with the project. Floyd also confirmed that the house to the South is a substantial distance from the property line and would allow for emergency access between the structures.

John Wilson asked Steve High if there was anything to report from the county. Steve confirmed that this was an exempt referral as there was no impact to the and was not reviewed.

John led the Zoning Board through the criteria for an area variance. The Board agreed that the benefit could not be obtained by other means feasible as the applicant wants to add to an

existing structure. The board members agreed that it would not cause an undesirable change to the neighborhood as there are structures with similar setbacks in the area. It was determined that it is a substantial variance at 52 percent. The board members agreed that it would not cause adverse physical or environmental effects. They also agreed that the alleged difficulty is self-created out of the applicant's desire to complete the project.

John opened the floor to discussion or a motion.

Motion made by John Robbins to grant ZB2024-004 as submitted. 2nd by Phillip Ilacqua.

Roll Call Vote:

Jim Smith – Deny

John Robbins – Grant

John Wilson – Grant

Phillip Ilacqua – Grant

Robert Rose – Grant

Grant – 4 Deny – 1

Requested area variance granted.

Meeting Minutes from June 24, 2023

Motion made by John Wilson to approve minutes with a 2nd by John Robbins. All in favor. Motion carried.

Steve High's Report

Steve reported to the Board. He went over a proposed manure processing plant on Route 5 and 20 in the Town of Seneca. He explained that the plant would take in manure from approximately 11,000 cows from 11 farms. He explained the process for removing the methane, and the plans for the various end products. He went over the variances needed for the project, how this would change the farms' current processes for manure, and the benefits for both the company and the farmers.

Other Business

Floyd went over updates on projects in the town.

Work is moving forward on the new medical facility at 833 Route 5 and 20.

The old dollar store has been sold and will be a store for water treatment equipment.

He is working with a company that sells small appliances to move into the old Red Jacket store.

The permit has been issued for the dental office at the old Drennan Memorial property.

The sites are beginning to be cleared for the Community Solar Gardens that were previously approved.

He is working with a developer regarding the property on Carter Road across from Gambee Road. The plan is for it to be 148 single-family, owner-occupied homes.

The clubhouse/winery that was part of the Seneca Turk PUD has been sold.

The Town of Geneva is participating in the state's Pro-Housing program.

Motion made by John Wilson to change the Zoning Board meeting time from 6:30pm to 6:00pm. 2nd by John Robbins. All in favor, motion carried.

Motion made by John Wilson to close the meeting with a 2nd by John Robbins. All in favor. Motion carried at 6:55pm.