

**Town of Geneva  
Zoning Board  
May 25, 2021  
DRAFT**

Present: James Smith, John Robbins, John Wilson, Phillip Ilacqua, and 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 meeting to order at 6:30 pm.

**Pledge of Allegiance**

**Preliminary Application – Use Variance and Area Variance  
Fitzgerald Property ZB2021-001**

The applicant is requesting a use variance to place a shed on a vacant parcel. Per Geneva Zoning Code Section 165-24 A, accessory buildings are allowed only on the same property as the principal building. The applicant is also requesting an area variance for the rear setback. Per Geneva Zoning Code Section 165-10 E, Minimum rear yard setback shall be 25 feet, and in the case of lots bordering the lake, the rear yard setback shall be measured from the deeded rear property line. The applicant is requesting a 0 ft. setback.

Brian Fitzgerald presented his request to the Board. He explained that they are looking to put a temporary shed on their lake lot. They currently have a dock and hoist on the lot along with a rowboat and kayaks. The shed would be for storage.

Floyd explained to the board members that this is a use variance and went over the pertaining code section. He commented that the uniqueness of the size and topography of the lot would make it difficult to put a primary building on it. He went over the need for an area variance and explained that due to the size of the lot it would not really have another use other than recreational.

John Robbins confirmed with the applicant that the size of the shed will be 10 ft by 16 ft. James Smith asked about another piece of property and the applicant explained that there is only one lot. He added that there would be no power to the shed. Phillip Ilacqua commented that there are other sheds on lots in the area. John Wilson asked the applicant to show the setbacks on the drawings for the next meeting.

Motion made by John Robbins to set the Public Hearing for the next Zoning Board meeting, scheduled for June 22, 2021. 2<sup>nd</sup> by Phillip Ilacqua. All in favor. Motion Carried.

**Preliminary Application – Area Variance (2)  
Pitifer Garage ZB2021-003**

The applicant is requesting two area variances for the placement of a detached garage. The applicant wishes to place the garage in the front yard of the property with a front setback of

15 ft. Per Geneva Zoning Code Section 165-24 A. Accessory structures are to be constructed in the rear yard portion only. Per Geneva Zoning Code Section 165-8 E, Minimum front yard setback shall be 30 feet.

Chas Pitifer presented his request to the Board. He provided two photos to the board members. He explained that he wants to build a 30 ft by 40 ft pole barn type building in the front yard. He explained that this would not look like a pole barn and would be sided with smart side, have windows, one garage door, and a gable roof. He had pictures on his tablet that he wished to show the Board. John Wilson requested that he forward any pictures/documentation to Floyd to be included in the board members' packets for the following meeting. He also confirmed that the applicant had received a copy of the 5 criteria that will be reviewed for area variances.

Floyd commented that Chas has a video example of flooding issues at the property that he may want to present at the next meeting. He also spoke about the underground springs on the north side of the property. John Wilson asked the applicant to identify the flooding areas on a map and provide to the Board for the next meeting. There was further discussion on flooding on the property.

Robert Rose asked Floyd about the applicant being willing to move the location of the garage to be in-line with the house and if a variance would be needed if the garage were in the side yard. Floyd confirmed that a variance would be needed unless it were in the rear yard.

Motion made by Phillip Ilacqua to set the Public Hearing for the next Zoning Board meeting, scheduled for June 22, 2021. 2<sup>nd</sup> by John Robbins. All in favor. Motion Carried.

### **Board Discussion**

John Wilson asked Floyd to define what is the front yard of a lot. Floyd explained that it is the line parallel to the road that the property is accessed from. He showed the board members this line on the map of the lot for ZB2021-003.

### **Meeting Minutes from January 26, 2021**

Motion made by John Wilson to approve minutes with a 2<sup>nd</sup> by Phillip Ilacqua. All in favor. Motion carried.

### **Steve High's Report**

Steve reported that the three items that were from the Town of Geneva this month were all sent back with recommendations of approval with comments. These were all for the Planning Board. He also went over two referrals from the City of Geneva, one being a new concept plan for the current Legion property and one being for the new Dunkin Donuts at the corner of North and Exchange. He reported on the comments from the County Planning Board for each site.

### **Other Business**

Floyd updated the board members on upcoming projects in the town. He explained the three applications that will be reviewed at tomorrow night's Planning Board meeting.

Floyd updated the Board on the progress of the Code Committee. He went over some of the items under review including accessory structures in certain zones such as agricultural, the review process for minor additions to commercial sites, and the fine-tuning of the solar codes.

He also went over business in the town. There has been new interest for a restaurant going into the old Ponderosa.

There is a new interest for the previous Cheribundi building.

He has been speaking with the new owner of the old Alison's building and potential uses for the lot. The first thing considered was mini storage, which he brought up to the Town Board, which received mixed reactions. This could come before the Zoning Board for a Use Variance.

John Wilson asked about the sign variance request from Seneca Foods. Floyd reported he had not received any further information since last month.

James Smith confirmed with Floyd that there was someone interested in the Cheribundi building. Floyd commented that it was being purchased and the closing should be this week. The new owners already have someone interested in the entire building.

Jim also asked about the Geneva Crossing PUD. Floyd explained that progress had been halted because of Covid and grant funding but right now it looks like the 80-unit apartment building would be built next year.

Jim asked about Greg Missick and the projects he has in the town. Floyd explained that 4 houses are being built at Bay Heights which will be used as models for the 90-unit project that is being planned. There was further discussion between the board members and Floyd about this project. Floyd explained that the infrastructure might be worked on this year, but not the buildings.

Jim also asked about the entrance to the proposed townhouses on Turk Road and if everything had been resolved. Floyd explained that it was addressed during the Planning Board process and went over the approved plans.

Motion made by John Robbins to close the meeting with a 2nd by Phillip Ilacqua. All in favor. Motion carried at 7:09 pm.