

**Town of Geneva  
Zoning Board  
February 25, 2020**

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

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

Others present: Jeff Huether, Edward Tomion, Jennifer Tomion, Dan Guererri, Mary Erdman

Acting Chair John Robbins called meeting to order at 6:30 pm.

**Pledge of Allegiance**

**Public Hearing  
Guererri Property ZB2020-001**

Mr. Guererri is looking to build a pole barn on his property. This property is a vacant parcel. Per Geneva Zoning Code Section 165-24 A, accessory buildings are allowed only on the same property as the principal building. This vacant lot has no principal building; therefore, this is a review for a use variance.

Mr. Guererri presented his request to the board, explaining that he had recently purchased the property and wanted to build the pole barn to store equipment there for his future house build on the property. Code Enforcement Officer Floyd Kofahl read the applicant's letter that was submitted with the application to address the four criteria of a use variance request.

John Robbins asked if there were any members of the public wishing to speak. There were not. He read a letter received by Jennifer Tomion stating her reasons against the approval of a use variance. He then again checked if there were additional comments from the public.

Floyd addressed the board. He reminded the board members that all four of the criteria must be met to approve a use variance. He explained that the applicant plans on building a house, which if he built the house first, he would not need a use variance to build the pole barn. He also emphasized that the lot is very unique and some focus needs to be placed on that. He expressed that the letter from the applicant needed to address the four criteria better and reminded the Board that this application will go before the County Planning Board at their March meeting. He asked that the Board keep the Public Hearing open for the March meeting. At that point, the Board would have comments from the county and Floyd can work with the applicant to better address the four criteria. He also pointed out that if the use variance is granted, setback variances will also need to be applied for.

John Robbins opened the discussion for the board members. James Smith expressed concerns with the soil on the lot and potential problems and asked about the right-of-way with the power lines on the property. Robert Rose also pointed out that even if they grant the use variance there is no way that they are guaranteed a house will be built on the property.

Mr. Guererri expressed concerns that he has gotten stuck with an unusable piece of property and is worried he is not going to be able to do what he had planned. Phillip Ilacqua asked Floyd if the plans with the house would be in compliance as shown. Floyd explained that,

as drawn, the pole barn would need setback variances and in the future, the house would need setback variances.

John Robbins confirmed that the Public Hearing will stay open until the March Zoning Board Meeting so that the applicant can provide more information and the Board can review any comments from the County.

### **Meeting Minutes from November 26, 2019**

Motion made by James Smith to approve minutes with a 2<sup>nd</sup> by Robert Rose. All in favor. Motion carried.

### **Other Business**

#### **Meeting Schedule for 2020**

Floyd reviewed the meeting schedule for the year.

### **County Representative – Steve High’s Report**

Steve presented information from the County’s Annual Report. He discussed the total number of referrals, the most common types of referrals, and the trends the County Planning Board saw last year.

### **Other**

Floyd updated the board members on different properties in the town: He confirmed the owner of BJ’s and the offers they have received. This does not include Dollar Tree, which is a separate parcel.

Cheribundi is moving their operations but the offices are staying for now. They are looking to lease or sell and has someone interested in leasing.

Nothing new on the old Alison’s.

This Spring, the Building Department is working on creating an inventory list of available properties to refer to when inquiries come in and to possibly post on our website. Also working on Short-Term Rental Permits and getting any residents operating Short-Term Rentals into compliance.

The Fribolin property is in the process of being bought by a single person. It looks like no development will be built there.

There is a developer looking at the Seneca Springs Project.

Seneca Turk Resort has no updates. When Floyd spoke to them last, the developer for the townhouses is still looking to get started in 2020.

There was a question regarding a new pole barn on Armstrong Road. Floyd explained that it is an agricultural building. Floyd only has no jurisdiction over Building Codes for agricultural buildings, but the property owner did come in and everything has been met for the Zoning Code.

Motion made by James Smith to close the meeting with a 2<sup>nd</sup> by Robert Rose. All in favor. Motion carried at 7:05 pm.