

**Town of Geneseo
Zoning Board of Appeals
Public Hearing for Roger Christiano
Tuesday, February 12, 2008**

Appeal by **Roger Christiano**, appellants, from a decision of the Code Enforcement Officer and application for permission to erect a sign when there are no regulations in Section 106-19 Signs of the Town of Geneseo code which allows a sign for a pre-existing, non-conforming use after a 12 month period without a sign on property located at 4162 Reservoir Road in the Town of Geneseo, NY.

Board Members Present: Chairman John Maxwell, Vice-Chairman Rick Taylor, Soren Thomas and Steven Haigh. Peter Palermo was absent.

Public Present: Dean O'Keefe, Deputy Code Enforcement Officer, Roger Christiano, tenant and owner of business, Verizon, and Mark Shepard, owner of the property.

Chairman John opened the meeting at 7:30 to consider an extension to the presently expired temporary sign variance. John asked if there have been any changes to the sign.

Roger said, "No, it is just as it has been for three years. People have been finding themselves there and I'm requesting a renewal. Could there be any provision for a longer period. My builder has had my money for two years and the building is yet to start."

Dean O'Keefe, Deputy Code Enforcement Officer reported there have been no complaints to him or to the police about this business.

Vice-Chairman Rick Taylor pointed out that an extension is a zoning change. We all want to alleviate a situation. We will have to do this yearly if necessary.

Soren Thomas reminded the board of his concern for setting a precedence on Reservoir Road for a business to be in a residential area.

Rick and Soren both agreed that if the pre-existing non-conforming use is to continue, a zoning change is needed to change the use of this property.

Mark Shepard asked who makes this change? This building will never be a residence. It was built before zoning and was rented as a body repair shop for over forty years.

Chairman John said he would have to go to the Town Board for a change of use. A use class 19 will not fit this situation.

Roger questioned if the new building would ever get off the ground. Perhaps his best bet is to renovate this building to truly fit his needs and the requirements of Verizon. He is willing to return yearly, if that is what is required.

Comments by all were that this business has cut down the car flow. The corner is safer. The business has adequate parking. The biggest nuisance is being used by the general public as a turn around.

Chairman John then asked the feeling of the board. A longer period for a specific tenant?

The consensus leaned to a continuation of the minutes that expressed "like use" as approved by the Board a year ago.. It should be specific to Roger Christiano and Verizon.

Soren moved that "As nothing having changed, the questions were set aside and the continuation put in place for two years for this specific sign and use as a Verizon cellular phone business run by Roger Christiano. Steven seconded. All were in favor. Motion carried.

In the next two years either Roger's building will be constructed or he will apply to the Town Planning Board and then the Town Board for a zoning change. It is clear that a permanent change will not be granted by the Zoning Board of Appeals.

Rick moved to closed the Hearing at 8:10 and Steven seconded. Carried.

Respectfully submitted by Carolyn C. Meisel, Secretary, Geneseo Town Zoning Board of Appeals.