

Town of Geneseo
Zoning Board of Appeals
Public Hearing for James Bonsignore, Agent for Lakeville Estates MAC LLC
Northwest corner of NYS Routes 20A and 256
Tuesday, March 23, 2010

Appeal by James Bonsignore, Agent for Lakeville Estates MAC LLC, from a decision of the Code Enforcement Officer and application for permission to eliminate the requirement for a walking path to be installed in Phase I of the Lakeville Estates Manufactured Home Community, as required by Section 75-4(N) of the Town of Geneseo Code on Mobile Home Parks on property located at the northwest corner of NYS Routes 20A and 256 in the Town of Geneseo, NY.

Board Members Present: **Chairman John Maxwell, Steven Haigh, Soren Thomas and Greg Foust.**

Public Present: James Bonsignore, Esq., applicant, James Coniglio, Esq., Town Attorney, Ron Maxwell, Code Enforcement Officer, Dean O'Keefe, Deputy Code Enforcement Officer, LeonVan Lieshout, 5574 Canton Dr., Gary Dutton, surveyor, Jesse Phelps and Anne Carson.

Chairman John Maxwell reconvened the meeting from January 19, 2009 at 8:20.

James Bonsignore said in January he had come seeking the elimination of all walkways in Phases I and II. He has met with the Planning Board and agrees that there will be walkways in Phase II and there will be a walkway connecting Phase 1 to the planned Recreation Center. He is withdrawing the request for Phase II and withdrawing the request to fully eliminate walkways in Phase I. He seeks to eliminate only part of Phase I pathways, those that will be impossible to build as they are too close to homes or there are structures built where the walkways were to go.

Chairman John Maxwell asked if he were discussing Canton Drive between R42 and R41 to Stanton Lane?

James Bonsignore said that was the walkway to be kept in Phase I. He is seeking disallowing the other proposed walkways.

Steven Haigh said in Phase I a large percentage of walking paths are being eliminated. We've heard the neighbors' comments.

Soren Thomas --You want to eliminate the path from south of Canton Drive to Sonora.

Ron Maxwell, CEO--the walkway will be on the official site plan
Chairman John Maxwell asked for comments from the public.

LeonVan Lieshout asked what about the future. Will there be a loop system for walking?

Chairman John Maxwell directed the Board to the SEQRA application and requested Attorney Coniglio assist with the form.

James Coniglio, Town Attorney, read the form aloud and the Board made appropriate comments. When completed, he passed the form to **Chairman John Maxwell** who asked for a motion directing him to sign this form.

Steven Haigh moved and **Soren Thomas** seconded the motion to approve the SEQRA form as prepared and directing **Chairman John Maxwell** to sign it. Carried.

Chairman John Maxwell signed the SEQRA form.

The Board then went through the 5 questions necessary for an area variance:

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance? NO, nothing has changed.
2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance? NO This is a preexisting condition to this owner.
3. Is the requested variance substantial? NO-John, Soren,Greg YES-Steven
4. Will proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? NO
5. Is the alleged difficulty self created? No--Preexisting at time of purchase.

Soren Thomas moved and **Steven Haigh** seconded the motion to *approve the variance to eliminate the required walkway from Canton Drive south to Sonora Way in Lakeville Estates*. Carried.

Greg Foust moved to close the hearing at 8:54. **Soren Thomas** seconded. Motion carried.