

Town of Geneseo
Zoning Board of Appeals
Public Hearing for Mark Argenta
4222 Reservoir Rd.
Tuesday July 26, 2011

Appeal by **Mark Argenta**, appellant, from a decision of the Code Enforcement Officer and application for permission to construct a single family residence which fails to meet the front yard setback requirement of 70 feet from the highway right-of-way on Lakeville Road as per Schedule II of the Town of Geneseo Zoning Code on property located at 4222 Reservoir Road in the Town of Geneseo, NY.

Board Members Present: **Chairman John Maxwell, Peter Palermo, and Greg Foust.**
Public Present: **Ron Maxwell**, Code Enforcement Officer, **Mark Argenta**, applicant, **Lu Ann Argenta**, applicant, **Don Livingston** and **Mark Shepard.**

Chairman John Maxwell opened the meeting at 7:37 and requested the green cards (certified return receipts from adjacent properties to the applicant). Sixteen were sent out and fourteen were returned.

At this time the Board members invited the applicant to the table. All Board members had visited the site.

Mark Argenta explained that they wished to tear down the existing house and rebuild on the existing foundation which is in great shape. There is a new septic system in the rear.

Peter Palermo asked if there were a full basement.

Mark Argenta Mostly. The jog is a crawl space. He wants to square off the house where the jog exists.

Ron Maxwell brought the completed plans to the table for all to study.

Mark Argenta repeated there is a great existing basement and a new septic with raised bed in back. He wants to go 6' closer to the road with the porch.

Greg Foust asked for the front elevation. All viewed them. It is to be a 2300 sq. ft. house with two stories. There is an existing garage on the east side.

Peter Palermo commented that they are looking for 35' +/- a foot. Go for 36'.

The public present was asked for comments

Don Livingston commented "Isn't the proposed house in line with the other houses on the road?" He is a builder and the Argenta's brother-in-law. Their consultant.

Mark Shepard, a neighbor, came in support of the Argentas. He met them for the first time

here and is in support of what they propose.

Chairman John Maxwell summarized: Grant a 36' front yard setback variance at 4222 Reservoir Road as per the approved building plans issued May 20, 2011.

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**
2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance? **Yes, omit the porch**
3. Is the requested variance substantial? **Yes, 50%** The request is substantial but will improve this site. The porch is not covered but is open which will make the intrusion seem less.
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? **Yes**

This is a Type II action and SEQRA isn't needed.

Peter Palermo moved the *granting of a 36' front yard setback variance at 4222 Reservoir Road as per the approved building plans issued May 20, 2011.*

Greg Foust seconded. **Carried.**

Chairman John Maxwell asked for approval of the **Freeman** Oct 26 minutes. Since **Greg Foust** and **Peter Palermo** were not present at that meeting, it must be tabled until **Soren Thomas** and **Steven Haigh** are both present.

Chairman John Maxwell asked for approval of the **Headley** June 28 minutes. **Greg Foust** moved approval and **Peter Palermo** seconded. Carried.

Greg Foust moved that the hearing be closed and **Peter Palermo** seconded. **Motion carried.**

Meeting adjourned at 8:02 P.M.

Respectfully submitted by Carolyn C. Meisel,

Secretary,

Geneseo Town Zoning Board of Appeals.