

Village of Geneseo Zoning Board of Appeals  
Public Hearing For: Sonbyrne Sales, Rep.: Michael McCarthy  
Address: McGeneseo LLC, 39 E. South Street  
Tax Map ID. # 81.13-2-13.21  
September 04, 2012; 4:55 p.m.

Present:

Carolyn Meisel, Chair  
Marlene Hamilton  
Paul Schmied  
Bruce Teall  
Thomas Wilson

Code Enforcement Officer:

Ronald Maxwell

Secretary:

Debra Lund

Chair C. Meisel opened the public hearing and meeting at 4:55 pm. Board Members were introduced. It was stated proper notices had been published and the County has been notified since the property is located on a state route. When M. McCarthy was asked how many certified return receipt notices had been sent to neighbors within one-hundred (100') feet of the property and how many green cards had been returned.

M. McCarthy replied he had not sent the notices and was at fault. D. Lund asked to address the Board. She had talked with M. McCarthy earlier in the day to remind him to bring in the receipts and green cards as per the email she had sent to him with the notice, mailing dates, and address list. At this time she realized procedures were not followed and spoke with Village Attorney T. Reynolds regarding how the Board should proceed. Attorney T. Reynolds stated the public hearing cannot go forward as the Village Code specifies (Section 130-12) the notices must be mailed "The applicant shall, at his or her own expense, mail notice of such hearing by certified mail, return receipt requested, at least 10 days prior to the date of the hearing, to all property owners situated within 100 feet of the boundaries of the site being reviewed". M. McCarthy was asked if he would like to schedule another public hearing for the requested variance.

M. McCarthy said he would and asked to be placed on the next available meeting date. After discussion, he was told the soonest date would be the next regularly scheduled meeting on October 2, 2012 at 4:30 p.m. Secretary D. Lund said she would send him a revised notice, updated mailing dates and the address list via email with the next day or two.

With the hearing unable to move forward, B. Teall moved to close the public hearing at 4:58 p.m.; P. Schmied seconded the motion. All were in favor and the hearing closed. M. McCarthy thanked the Board and exited the meeting.

The August 07, 2012 Merriman minutes were reviewed. T. Wilson moved to approve the minutes as amended; B. Teall seconded the motion. The vote was as follows: Chair C. Meisel, aye; P. Schmied – aye; B. Teall – aye; and T. Wilson, aye. M. Hamilton abstained as she had been absent. The motion passed.

The August 07, 2012 Calm Dental- Popelka minutes were reviewed. T. Wilson moved to approve the minutes as presented; B. Teall seconded the motion. The vote was as follows: Chair C. Meisel, aye; P. Schmied – aye; B. Teall – aye; and T. Wilson, aye. M. Hamilton abstained as she had been absent. The motion passed.

General discussion followed. M. Hamilton moved to adjourn the meeting at 5:05 p.m.; P. Schmied seconded the motion. All were in favor and the meeting adjourned.

Debra Lund, Secretary