

Village of Geneseo
Zoning Board of Appeals
Public Hearing for: Robert & Roberta Irwin
Address: 10 Groveland Road
Tax Map ID #: 81.17-3-17
August 26, 2014; 4:45 p.m.

Present:

C. Meisel, Chair
M. Hamilton
R. Meyers
P. Schmied
T. Wilson

Code Enforcement Officer:

Ronald Maxwell

Secretary:

Debra Lund

Applicants:

Robert & Roberta Irwin

Public:

Cynthia Schmitt
Mary L. Nitsche
A. James Memmott
Jon J. Di Laura

C Meisel opened the public hearing and meeting at 4:45 p.m. Board members were introduced. It was noted proper notice had been published and sent to neighbors within 100' of the property lines. Eleven notices were sent and ten green cards were returned. The applicants were seeking permission to pave a driveway more than thirty-three (33') feet wide that fails to meet Section 123-29 of the Code of the Village of Geneseo: "total width of all driveways ... shall not exceed 33 feet in width or 33% of the front yard width, measured at the building setback line, whichever is less". A twelve (12') foot variance is being sought. The Irwins were asked to state their case.

R. Irwin (Mr.) stated that after twenty some years of living with a gravel driveway, his wife would like a black topped drive. They would like to increase the width so that two cars can be parked side by side. The proposed driveway would be thirty-five (35') feet wide at the garage, essentially the width of the garage. The drive would widen toward the garage as it extends back from the sidewalk where the width would be eighteen (18') feet. It would be necessary to extend the driveway away from the front of the house as there is a patio already there and the Irwins would like to extend it seven (7') feet from the building toward the side lot line. It was noted that several properties in the Village are not in compliance. It was further noted, the house and street are not parallel to each other. R. Irwin had talked with D.P.W. Superintendent J. Frazier and the entire drive would need to shift to the north in relation to the street as it is better if it can go straight back.

P. Schmied asked if there are ever issues with backing out onto the road. R. Irwin (Mr.) said R. Irwin (Mrs.) has u-turned in the morning as it is too scary to back out onto the highway. He occasionally had trouble seeing walkers as he backs out.

The public was invited to speak. A. J. Memmott, a neighbor, said he does not have any problems with the proposed driveway. M. Nitsche, a neighbor two doors down, did not see any problems with the proposal either. D. DiLaura lives across the street and had no objection; he noted it is often difficult for one to back out of one's driveway due to the traffic volume. D. Cannon, another neighbor sent a letter to the Board.

August 26, 2014

*Village of Geneseo
Geneseo, NY 14454*

Dear Village of Geneseo,

I am the owner of 9 Groveland Road and do not oppose the paving of a driveway at Bob and Roberta Irwin's house.

Please contact me if you need further information.

*Thank you,
Diane Cannon
585-***-**** (redacted)*

T. Wilson asked if the driveway came out toward the neighbors to the north. R. Irwin (Mr.) responded it did and that there was a double line of trees between the properties so it would not be a visual problem.

With no further discussion, the questions were considered.

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? Yes _____ No X
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance: Yes _____ No X
3. Is the requested variance substantial? Yes _____ No X
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes _____ No X
5. Is the alleged difficulty self-created? Yes X No _____

Chair C. Meisel noted this is an area variance and a type two action that does not require a SEQR. C. Meisel stated it was so noted that the proposed action has been considered under SEQR and has met the requirements for a Type II action: the proposed action is not environmentally significant.

R Meyers moved to grant permission to pave a driveway more than thirty-three (33') feet wide that fails to meet Section 123-29 of the Code of the Village of Geneseo: "total width of all driveways ... shall not exceed 33 feet in width or 33% of the front yard width, measured at the building setback line, whichever is less". A twelve (12') foot variance is granted. P Schmied seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The motion passed.

The Irwins thanked the Board and the public and the Irwins exited the meeting. P. Schmied moved to close the public hearing; T. Wilson seconded the motion. All were in favor and the public hearing closed at 4:58 p.m.

The minutes of the July 8, 2014 Garner public hearing were reviewed. R. Meyers moved to approve the minutes as presented; P Schmied seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, abstained due to absence from the meeting; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The motion passed.

General discussion of upcoming projects at the planning stage followed. One sign project may come before the Zoning Board in October; the business is on Millennium Drive and would like a lit sign where lit signs are not allowed. Several other projects are ongoing within the Village and the Town.

M. Hamilton moved to adjourn and T. Wilson seconded the motion. All were in favor and the meeting closed at 5:10 p.m.

Debra Lund
Secretary