

Town of Geneseo Zoning Board of Appeals

Michael Wedge

Public Hearing

Property Address: 4237 Reservoir Rd., Geneseo, NY 14454

Tax Map: # 81.-1-8

October 24, 2023 @ 7:00 PM

Members Present:

John Maxwell, Chair

Ken Book, Member

Mike DaBramo, Member

Donald Kearney, Member

Carolyn Meisel, Member

Michael Millard, Alternate Member

Other Town Representatives Present:

Debbie Streeter, Clerk/ZBA Secretary

Jared Radesi, Code Enforcement Officer

Applicant(S): Michael and Natalie Wedge

Public Present: Mark Argenta 4222 Reservoir Rd., Geneseo, Tim Brinduse (TAB Design Architects) 36 South St., Geneseo, Charlie Edmonds (Father In-Law/Father to the Wedges)

Chair Maxwell called the October 24, 2023, meeting to order at 7:15 PM.

Chair Maxwell requested members review and vote on the September 12, 2023, meeting minutes. D. Kearney made a motion to accept the September 12, 2023, Zoning Board of Appeals Minutes as presented. K. Book seconded. With no further discussion, motion passed with ayes from Chair Maxwell, D. Kearney, M. DaBramo, C. Meisel, and K. Book.

The Public Meeting was opened at 7:20 PM by Chair John Maxwell. All proper notices were sent via US Mail return receipt. They were also published in the Livingston County Newspaper, as follows:

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals, Town of Geneseo, will hold the following Public Hearing pursuant to Town Law. At the above date and time, an application by **Michael and Natalie Wedge, 4237 Reservoir Rd., Geneseo, tax map #81.-1-8** will be considered for a 2 story, one car garage with living space above that deviates from Town zoning code for 2 family dwelling needing an east side yard variance (Zoning 106 attachment 2 low

density residential, B. permitted uses #2). Therefore, the above Public Hearing will be held. Wedges sent out fourteen (14) Certified Mail with Return Receipt Letters, with the return of Twelve (12) Green Cards, and two (2) Letter being returned to sender.

Chair Maxwell asked all the board members if they had a chance to visit 4237 Reservoir Road. All had visited.

Chair Maxwell stated that the **County Planning Department** has reviewed this application and determined that it has no significant Countywide or inter-municipal impact with regard to existing County plans, programs, and activities. Decision for the application is up to the Town Zoning Board.

Chair Maxwell stated that this application was determined to be a Type II action, and SEQR is not required per # 16 of the New York Codes, Rules, and Regulations 617.5 Type II Actions.

Chair Maxwell invited Natalie and Michael Wedge with Tim Brinduse from TAB Design Architects to explain the need for an east side yard variance for a two (2) story one car garage with living space above.

Natalie Wedge stated her dad stays with them 4 days a week. Michael Wedge explained the need for a one car garage with storage space. The initial idea was to make an in-law apartment. That has been scrapped due to not being a permitted use, needing an acre lot with 200 ft of road frontage. CEO Radesi explained to Michael he would need a variance to make the garage into an in-law apartment. Michael explained they would like a one car garage with storage requiring a nine ft (9') east side yard variance.

The Board discussed the possibilities of moving the garage to lessen the variance needed. The Board likes to keep variance at or under 50% of Town code.

Tim Brinduse spoke about the drawings and how the garage cannot be moved due to a deck and septic in the back yard. The garage is seventeen feet (17') four inches (4") X thirty-two feet (32'). No plans for living space currently.

Chair Maxwell asked if anyone in the public had comment or concerns. Mark Argenta at 4222 Reservoir Rd., wanted clarification that this is not going to be a 2-family dwelling and it is not. He is okay with a garage.

D. Kearney made a motion to close the public hearing at 8:00 PM. C. Meisel seconded. Motion carried with ayes from Chair Maxwell, D. Kearney, M. DaBramo, C. Meisel, and K. Book.

Chair Maxwell directed the board to go through the five questions necessary for nine feet (9') east side yard area variance for building seventeen feet (17') four inches (4") X thirty-two feet (32') garage with storage.

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?

Chair Maxwell - No

Member Kearney - No

Member DaBramo - No

Member Meisel - No

Member Book - No

2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance?

Chair Maxwell – Yes, move the garage.

Member Kearney - No

Member DaBramo – Yes, 9' variance for 15' requirement.

Member Meisel - No

Member Book - No

3. Is the requested variance substantial?

Chair Maxwell - Yes

Member Kearney - Yes

Member DaBramo - Yes

Member Meisel – Yes 9'.

Member Book - Yes

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Chair Maxwell - No

Member Kearney - No

Member DaBramo - No

Member Meisel - No

Member Book - No

5. Is the alleged difficulty self-created?

Chair Maxwell - Yes

Member Kearney - Yes

Member DaBramo - Yes

Member Meisel - Yes

Member Book – Yes

K. Book made a motion to allow nine feet (9') east side yard area variance at 4237 Reservoir Rd., Geneseo for a garage for storage. Disapproved second story living space for in-law

apartment. Seconded by D. Kearney. Motion carried with ayes from Chair Maxwell, D. Kearney, C. Meisel, and K. Book. Opposed M. DaBramo.

There being no new business C. Meisel made a motion to adjourn at 8:05 PM. Seconded by k. Book. Motion carried with ayes from Chair Maxwell, D. Kearney, M. DaBramo, C. Meisel, and K. Book.

Respectfully Submitted,

Debbie Streeter Deputy Clerk