

**Village of Geneseo Zoning Board of Appeals
April 2, 2025 @ 4:30pm**

Members Present:

Carolyn Meisel, Chair
Gretchen Crane, Member
Paul Schmied, Member
James Kier, Member
Robert Meyers, Member- excused

Other Village Representatives Present:

Janna O'Brien, Secretary
Jacob Zoghlin, Underberg and Kessler

Applicants/Public Present:

Matt Griffo, Town of Geneseo
William Wadsworth, Town of Geneseo

At 4:30pm, Chair Meisel called the meeting to order. Mr. Zoghlin, Esq. presented to the Board a Settlement Agreement between the Village of Geneseo and the owner of 16 Main Street. *Member Schmied made a motion to adopt a resolution to authorize Chair Meisel to sign the document. Member Crane seconded. The motion passed with ayes from all.* Chair Meisel signed the document and returned it to the attorney.

At 4:35, Chair Meisel continued the Public Meeting from March 5, 2025, concerning the area variance for the Town of Geneseo.

**Public Meeting- Area Variance
Town of Geneseo
4263 Lakeville Rd., Geneseo
Tax Map #81.10-10-1.9**

Chair Meisel noted that the Board did not receive any concerns or comments from the public. Chair Meisel asked her Board if they had any additional questions for the Town representatives. Hearing none, Chair Meisel asked for a motion to close the hearing. *Member Kier made the motion. Member Crane seconded the motion. The hearing was closed with ayes from all.*

This was followed by the Board discussing and answering the five variance questions.

(1) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting the area variance?

Chair Meisel: No. The area is not in a neighborhood.

Member Crane: No. The space is restricted due to the surrounding cemetery. It is in a commercial area.

Member Schmied: No. Area is already restricted, adjacent to a burial site.

Member Kier: No, it will not be a detriment to nearby properties.

(2) Can the benefit sought by the applicant be achieved by some other method, feasible for the applicant to pursue, other than an area variance?

Chair Meisel: No.

Member Crane: No. They need a variance to proceed.

Member Schmied: No, needs variance to comply with the law.

Member Kier: No, the site is limited and requires a variance.

(3) Is the requested area variance substantial?

Chair Meisel: Yes, over 50%.

Member Crane: Yes, it is greater than the 50% of the allotment by code but it is not detrimental.

Member Schmied: Yes, more than 50% however all owned by the Town and current development individual.

Member Kier: Yes, substantial, but design is mitigated.

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

Chair Meisel: No. No neighborhoods nearby.

Member Crane: No. It is a commercial area.

Member Schmied: No. Discovery of possible burial area was discovered during the due diligence investigation by the Town.

Member Kier: No. There will be no impact on the environment.

(5) Is the alleged difficulty self-created? (Which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.)

Chair Meisel: Yes.

Member Crane: Yes. The purchase was made but then things changed with the county's approval.

Member Schmied: Yes, could have built in another location.

Member Kier: Yes. The Town chose to but the property.

Member Keir moved to grant the area variance for a zero setback "100% variance" on the side setback for the new entrance. Member Crane seconded the motion. With no further discussion, the variance was approved with ayes from all.

With no further discussion, Member Crane moved to close the meeting at 4:43pm. Member Kier seconded the motion. The meeting was closed with ayes from all.

Janna O'Brien
Secretary

