

CHILI ZONING BOARD OF APPEALS
September 27, 2022

A meeting of the Chili Zoning Board of Appeals was held on September 27, 2022 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson Adam Cummings.

PRESENT: Fred Trott, Philip Supernault, James Wiesner and Chairperson Adam Cummings.

ALSO PRESENT: Matthew Piston, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manager.

Chairperson Adam Cummings declared this to be a legally constituted meeting of the Chili Zoning Board of Appeals. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

Adam Cummings indicated Fred Trott would be arriving late this evening.

ADAM CUMMINGS: Board members, any issues with the signs?

The Board indicated they had no problems with the notification signs.

1. Application of David Torres, 292 Erath Drive, Rochester, New York 14626, owner; for a variance to erect a front deck 18' into front setback (60' req.) at property located at 13 Benedict Drive, Rochester New York 14624 in R-1-12 District.

Grant Pettrone and Vincenzo Carangi were present to represent the application.

MR. PETTRONE: Grant Pettrone, 3861 Lyell Road Rochester, New York 14606. I was actually the real estate agent in the transaction. Mr. Torres sold the property to my client who is going to be standing in on behalf.

ADAM CUMMINGS: Thank you.

MR. CARANGI: Vincenzo Carangi, 38 Aston Villa, North Chili, 14514.

ADAM CUMMINGS: Anything to add beyond what -- it is a front deck or a front porch?

MR. PETTRONE: No.

ADAM CUMMINGS: But it is supposed to be 60 feet. It's 18 feet.

JAMES WIESNER: You're the applicant buying the property?

MR. CARANGI: I actually already closed on the property so it is currently mine.

JAMES WIESNER: This is picked up as part of the --

MR. PETTRONE: The fun.

JAMES WIESNER: -- lawyer due diligence?

MR. CARANGI: Yes. Part of the fun I got to acquire, you could say.

ADAM CUMMINGS: The streamlined 2020 real estate transactions.

MR. PETTRONE: They're all fun.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Philip Supernault made a motion to close the Public Hearing portion of this application, and James Wiesner seconded the motion. The vote on the motion was 4 yes with 1 abstention (Fred Trott).

The Public Hearing portion of this application was closed at this time.

Fred Trott arrived to the meeting.

ADAM CUMMINGS: So just to be clear, you're looking to put on the front porch.

MR. PETTRONE: It was already constructed.

ADAM CUMMINGS: I just -- I saw that as I drove, but we're saying that -- to erect a front porch?

MR. PETTRONE: Correct.

ADAM CUMMINGS: So --

MR. PETTRONE: Our understanding was that there -- the front living room section was there. It's a foyer.

ADAM CUMMINGS: Yep.

MR. PETTRONE: The deck was added on. When you look at the old pictures, it looks like the door was to the right-hand side of that foyer area and Mr. Torres and his workers put on the front deck. I personally am a contractor. I took a look at it. Everything looked -- it is obviously not my decision to make, but to give you guys -- an understanding of what you said, something along the lines of 60 feet and 18 feet, can you just clarify that?

ADAM CUMMINGS: So 60 feet is required and you're asking for a variance to be 18 feet into the front setback.

MR. PETTRONE: Got it. So it is 30 -- understood. 42 -- 42 back. Understood.

PAUL WANZENRIED: Yep.

MR. PETTRONE: Understood.

ADAM CUMMINGS: Yes. So technically it's 42 -- if you do the math, 42 plus 18 gives you that.

MR. PETTRONE: Yep.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type 2 Action with no significant environmental impact, and Philip Supernault seconded the motion. The vote on the motion was 4 yes with 1 abstention (Fred Trott).

JAMES WIESNER: Is there a condition for a building permit?

ADAM CUMMINGS: Already built.

JAMES WIESNER: Still have to do the inspection.

ADAM CUMMINGS: Got it.

So a building permit will need to be obtained, which I think you already applied for.

MR. PETTRONE: Mr. Torres did prior to, but the date didn't correspond --

ADAM CUMMINGS: With the closing.

MR. PETTRONE: Interest rates went up to 7.5 percent today, so it was kind of -- like figure out what happens here.

ADAM CUMMINGS: Got you.

MR. PETTRONE: My client will be happy to pay for a building permit, no problem.

ADAM CUMMINGS: Okay. Just keep working with Paul (Wanzenried) on that.

MR. PETTRONE: Understood.

James Wiesner made a motion to approve the application with one condition, and Philip Supernault seconded the motion. The vote on the motion was 4 yes with 1 abstention (Fred Trott).

DECISION: Approved by a vote of 3 yes with 1 abstention (Fred Trott) with the following condition:

1. Building permit must be obtained.

The following finding of fact was cited:

1. Variance requested is not excessive and there are numerous similar structures on properties in the area.
2. Application of Elizabeth Molina, 1 White Oak Bend, Rochester, New York 14624 owner; for a variance to erect replacement deck 1' from side yard setback (10' req.) at property located at 1 White Oak Bend in R-1-15 District.

Benjamin Molina and Audrey were present to represent the application.

MR. MOLINA: I'm Benjamin Molina, 1 White Oak Bend. Elizabeth is unavailable. She had to travel to Europe. This is my daughter, Audrey.

ADAM CUMMINGS: Okay. Reading that you're replacing the deck that is currently there?

MR. MOLINA: That is correct.

JAMES WIESNER: So there is an existing deck that's already 1 foot off the property line. Was there a variance for that at all in the past?

MR. MOLINA: This I'm not sure. It is kind of an odd piece of property.

JAMES WIESNER: So the deck was built prior without a variance -- probably without a building permit.

ADAM CUMMINGS: I believe both of those are accurate.

PAUL WANZENRIED: That's correct.

ADAM CUMMINGS: And along those lines, Paul (Wanzenried), last month we were reading -- or received a new opinion from the Department of State --

PAUL WANZENRIED: Right.

ADAM CUMMINGS: -- where they -- if it doesn't have a wall, they're not worried about the less than 3 feet needing a State variance any longer.

PAUL WANZENRIED: Strictly on the Town.

ADAM CUMMINGS: Yep.

JAMES WIESNER: So it is combustible.

ADAM CUMMINGS: So now they're not worrying about the combustible materials. It has to be a wall and a combustible material. A deck doesn't count anymore. A flat surface. I don't understand it. But that's what they have now come up with.

JAMES WIESNER: That's all I have.

FRED TROTT: The code calls for 10 feet?

PAUL WANZENRIED: Our code does, yes.

FRED TROTT: Okay. So what would you do if you got denied here tonight with that?

MR. MOLINA: Um, that's actually up to the wife. It's her project.

FRED TROTT: How close --

ADAM CUMMINGS: Take the deck off and the house is still not compliant.

FRED TROTT: That's why -- I'm trying to understand if we could -- if there is any way of mitigating that.

ADAM CUMMINGS: This is -- this is the struggle we always have with corner lots, especially when they're corner lots and then the house gets placed at an angle.

PAUL WANZENRIED: The side setback is 5 feet. According to the property card. This is in Wellington. The Wellington Subdivision is 5 foot setback.

ADAM CUMMINGS: Okay.

FRED TROTT: So they're allowed 5 feet?

PAUL WANZENRIED: They are allowed 5 feet.

FRED TROTT: Okay. So that is a lot --

ADAM CUMMINGS: The house makes it -- the deck --

PHILIP SUPERNAULT: So on page 5 then it should read change from 10 feet to 5 feet --

ADAM CUMMINGS: 10 feet to 5 feet.

PHILIP SUPERNAULT: -- is that correct?

ADAM CUMMINGS: Correct.

JAMES WIESNER: Why is that?

PHILIP SUPERNAULT: That's a big -- that's a big difference.

PAUL WANZENRIED: That's are -- the code still reads 10 feet. It's -- it's common -- the code reads 10 feet. That is when you ask for variances. 10 feet for structures. This says 5 feet. But they're going 1 foot so.

ADAM CUMMINGS: What's the 5 foot you're referring to again?

PAUL WANZENRIED: The 5 foot in the Wellington Subdivision back when Faber did it --

ADAM CUMMINGS: Because it was like a Planned Unit Development --

PAUL WANZENRIED: Yes.

ADAM CUMMINGS: -- where they deviated from -- they were allowed to deviate from the Town's standard 10 foot.

PAUL WANZENRIED: They did incentive zoning. That's still -- I'm looking at the property card I have.

JAMES WIESNER: So that was a zoning or a Planning decision?

PAUL WANZENRIED: That would have been a Planning decision.

ADAM CUMMINGS: Actually, it would have started out as a Town Board decision.

PAUL WANZENRIED: It still says it's R-1-15, though.

JAMES WIESNER: The corner of the house then must be at least 5.

ADAM CUMMINGS: Right. And the corner of the house is at 5.2.

JAMES WIESNER: Can you see it?

ADAM CUMMINGS: Yes. It says "HSE 5.2 feet" and then it says "curve 5.8 feet" and "deck 1.2 feet."

And you're looking to replace the deck with the same size?

MR. MOLINA: That and extended -- I guess it's coming out towards the pool.

PAUL WANZENRIED: Okay. I believe the owner -- correct me if I am wrong -- I believe the owner's intent is to replace the exist -- the existing footprint and extend towards the pool --

ADAM CUMMINGS: I understand.

PAUL WANZENRIED: -- and connect to the pool.

ADAM CUMMINGS: So the extension would not encroach any closer to the property line?

PAUL WANZENRIED: Correct.

ADAM CUMMINGS: 1.2 feet that is currently there -- how long has that deck been there?

MR. MOLINA: Oh, God.

ADAM CUMMINGS: More than ten years?

MR. MOLINA: Yes.

ADAM CUMMINGS: Okay. Thank you.

JAMES WIESNER: The deck is only -- the deck is only 10 feet deep right now.

MR. MOLINA: Yes.

JAMES WIESNER: If you go back 5 feet, it becomes a walkway.

ADAM CUMMINGS: Yeah. Yeah.

JAMES WIESNER: It's not a deck anymore.

ADAM CUMMINGS: That's not a deck. You're right.

FRED TROTT: Could you go back to 8 feet in that corner?

ADAM CUMMINGS: But what do we win by going to 3.2 feet?

PHILIP SUPERNAULT: Right.

ADAM CUMMINGS: Do you have any correspondence from the neighbors, especially the one to the north?

MR. MOLINA: Nothing from them.

ADAM CUMMINGS: Okay.

PHILIP SUPERNAULT: So the -- so the worst -- the least compliant -- the 1 foot mark --

ADAM CUMMINGS: Yep.

PHILIP SUPERNAULT: -- is that back -- is that -- looking at the house, it is sort of that back -- it's that one corner. From that point, it's less -- less of -- less intrusive, right?

ADAM CUMMINGS: From the house or the deck?

PHILIP SUPERNAULT: From the line.

ADAM CUMMINGS: Yes.

PHILIP SUPERNAULT: The one corner -- and then what I'm saying is that as you move toward the pool, it becomes less invasive.

ADAM CUMMINGS: Yes. I would agree with that. And the date of the survey does say 2005. And it does show the surveyor's line work. It's not penciled in. So that deck appears to be there from at least April 8, 2005, or '6. I can't really read it there. Just want to point that out for you.

PHILIP SUPERNAULT: I assume that that -- that there is probably a door at that -- at the back of the deck? Is that -- so looking where the deck is positioned?

MR. MOLINA: Yes.

PHILIP SUPERNAULT: Where is the door in relation -- the door that you -- that you get -- that gives you ingress to the deck? Is that in the back corner?

MR. MOLINA: It's a sliding door right in the middle of the deck.

PHILIP SUPERNAULT: Oh, okay.

MR. MOLINA: It leads from the kitchen right out the --

PHILIP SUPERNAULT: Got you.

ADAM CUMMINGS: Paul (Wanzenried), are you aware of any complaints from any neighbors?

PAUL WANZENRIED: No.

ADAM CUMMINGS: Thank you.

Any other questions?

FRED TROTT: I realize that it's not going to give them -- in compliance, but I think if we could -- if they would be willing to move that just even a foot, either make the deck 8 feet shorter or just move that --

ADAM CUMMINGS: Not 8 feet shorter. You're saying 2 feet shorter.

FRED TROTT: Make it an 8 foot deck or move that -- that -- that line.

PHILIP SUPERNAULT: That is why I asked -- that is why I asked the question about the door.

PAUL WANZENRIED: Clip the corner.

PHILIP SUPERNAULT: If the door comes out --

PAUL WANZENRIED: Okay?

ADAM CUMMINGS: Okay.

FRED TROTT: Yeah.

ADAM CUMMINGS: So I think what's -- what's being discussed right now is instead of giving you a 1 foot variance, is giving you a 3 foot variance. Not shrinking the entire deck, but taking off that corner so that corner that -- would be parallel with that property line is 3 feet off it. Where it is currently 1 foot off the property line. If it becomes 3 feet off the property line, you don't lose a whole lot of space on your deck. It just cuts that angle.

PHILIP SUPERNAULT: Because they will be gaining space as they move --

FRED TROTT: They're adding a lot to the deck.

ADAM CUMMINGS: Right. They're adding it to the east.

PHILIP SUPERNAULT: Can you show me where the door is on --

ADAM CUMMINGS: It's right where the numbers that say 37.2. Right where the 2 feet would be.

MR. MOLINA: You're talking about clipping this corner (indicating)?

PHILIP SUPERNAULT: If we clip this corner, I mean -- I don't know how much you use it, but you would be gaining space out here. That might -- does that make any sense to you?

MR. MOLINA: Oh, yeah.

PHILIP SUPERNAULT: Okay.

ADAM CUMMINGS: Is that acceptable?

PHILIP SUPERNAULT: Taking a little off the length of it and moving it this way toward the door.

FRED TROTT: Even if you angled it --

ADAM CUMMINGS: I got to be honest, I don't want to speak like an architect or engineer, but what are we really gaining by lopping off a corner from a house that hasn't had a complaint since 2000 --

FRED TROTT: I understand what you're saying, but I'm saying it is also -- you know how this ends up. "Well, my neighbor has a foot."

ADAM CUMMINGS: True. But he has had it this way for 17 years.

FRED TROTT: I understand.

ADAM CUMMINGS: And nobody --

JAMES WIESNER: This was a tough, tough, tough lot.

ADAM CUMMINGS: It's a real tough lot.

FRED TROTT: No doubt about it.

ADAM CUMMINGS: And that whole subdivision if you look like it, it is not like our other subdivisions in Town. It is very unique how the whole thing was laid out.

FRED TROTT: But it would just be --

ADAM CUMMINGS: I'm not trying to guide you one way or another.

PHILIP SUPERNALTY: I just hear what you're saying.

ADAM CUMMINGS: I just want to make the point if we're going to cut off triangles and circles, what is the additional benefit we're getting for the neighbors who is our concern on that in terms of not letting it encroach on --

FRED TROTT: In the same respect, though, they are removing the old deck.

ADAM CUMMINGS: Yes.

FRED TROTT: It's one pylon. They will be putting more pylons in and footings in for the deck. So to me it doesn't seem like it is that big of a deal. If they already came in and wanted to keep this existing deck, then I would be okay with it. But I mean you're doing all this work. Why not just cut back a little bit in the one corner?

ADAM CUMMINGS: Yeah. And along with that, maintaining the property, so you can mow it a little easier without going onto your neighbor's property.

Any other questions?

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Philip Supernault made a motion to close the Public Hearing portion of this application, and Fred Trott seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: One condition of approval will be a building permit. You already started that process. Just continue it on. So we will continue on with the discussion of the taking off that northern edge, making the corner to reduce your variance request from 1 foot to 3 feet.

Would that be acceptable to you?

MR. MOLINA: Yes.

ADAM CUMMINGS: Okay. Would that be acceptable to the Board members?

FRED TROTT: I'm sorry. We're just trying to --

PHILIP SUPERNALTY: We're looking at the property.

ADAM CUMMINGS: It's really close. It's a big house that is set back. That is the catch you have of putting a corner lot and pushing it off the front of the street.

FRED TROTT: What is the proposal? I'm sorry?

ADAM CUMMINGS: To do the triangle. To increase to 3 feet instead of 1 foot on the variance request.

FRED TROTT: Yes. I would be acceptable with that.

ADAM CUMMINGS: You're good with it.

JAMES WIESNER: I don't see a need for it, but I'm good with it.

ADAM CUMMINGS: I'm in agreement with that.

PHILIP SUPERNALTY: You didn't ask me.

ADAM CUMMINGS: Phil (Supernault), I think I had your vote.

PHILIP SUPERNALTY: I'm -- I feel the way Jim (Wiesner) does. Looking at the angle of the house, I don't see them encroaching -- when I look at the angle of their house compared to the angle next door, I don't see what they're doing is really bothering the neighbors much.

ADAM CUMMINGS: No. The -- the bigger issue than the site plan -- or the survey map, if you look at it, would be the concrete landscape area curb.

PHILIP SUPERNALTY: Yep.

ADAM CUMMINGS: I'm not sure whose that is.

MR. MOLINA: That was there when we got the property.

ADAM CUMMINGS: Right.

MR. MOLINA: So I took all of the pavement blocks out of there. Took down those trees in there.

ADAM CUMMINGS: The only reason I point this out, it appears to go over the property line. So if it is -- it -- if it was built on this property that we're discussing tonight, it actually goes over onto the neighbor's property. That is more concerning to me. But it's not under our review for tonight.

JAMES WIESNER: If you lop off the 2 foot corner, you're probably saving 4 square feet or something.

ADAM CUMMINGS: Yes.

JAMES WIESNER: Which relative to the size of a deck is like a half a percent.

ADAM CUMMINGS: The point is valid of not reducing a lot of the square footage because they are extending it along the house. It does reduce the variance. And they are agreeable to it.

So -- I don't want to dwell on it too much more. So we'll keep -- as long as you're okay with it, we'll keep with the reduction to be 3 feet off and cut the triangle off.

MR. MOLINA: Sure.

PHILIP SUPERNALTY: You okay with it?

MR. MOLINA: Yes.

ADAM CUMMINGS: All right. I'll go ahead and ask for a motion to adopt this application with that one condition -- well, once again to be clear, we're modifying --

MATTHEW PISTON: Did you do SEQR?

ADAM CUMMINGS: You're right. I skipped that one.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type 2 Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

Fred Trott made a motion to approve the revised application with a condition, and James Wiesner seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 3 yes with the following condition:

1. Building permit must be obtained.

The following findings of fact were cited:

1. Variance requested is not excessive and there are numerous similar structures on properties in the area.
2. Applicant reduced the requested variance by agreeing to reduce encroachment of the deck to the lot line by constructing the deck with a cut corner.
3. Application of 39 Jetview Dr. LLC., 31 Jetview Drive, Rochester, New York 14624, owner; for a variance to allow 112 parking spaces (131 parking spaces req.) at property located at 31 Jetview Drive in LI District.

Rob Fitzgerald was present to represent the application.

MR. FITZGERALD: Good evening. Rob Fitzgerald with Fitzgerald Engineering representing Sydor. They're the owner of the property.

This project has been approved with the correct number of parking spots per code based on the square footage. It's just over a 50,000 square foot building which has since been and is now fully constructed -- at least the shell is.

Sydor, when they were looking to build this building, they needed about 5,000 feet for themselves. They have a building right next door to it. And then they're looking to lease out the rest of the parcel, the rest of the building. They didn't have a tenant at the time.

Now they do have a tenant. It's Corning Glass. They want to take a huge portion of this building. A couple things. They don't need all this parking. What they do need is some more outside space for a UPS unit -- an un -- an uninterrupted power source and some additional cooling units.

So what we did is we previously had parking here (indicating). We needed to take that space away so we could add these other mechanicals to the outside of the building. We did consider a couple other options. One was to put it on top of the building, but we didn't really want to go for that look. There is residential to the back, so we kind of wanted to just site it to the side of the building and also away from the road, too, so anybody driving by, it's the furthest spot from the road.

The other option would be to put the units in front of the building. We didn't think that would be the way to go.

And then another zoning variance would have been to put more parking in the front of the building, which we also felt that wasn't a best option.

So this is what we're going with. They look like they need about 80 parking spots for their business and we're providing 112. So we have 30 or so to play with. And that's based on other facilities that they have and the square footage. So hopefully they have a pretty good understanding of what they need for parking.

So again, we're asking for relief on 19 or 20 spots from the code. I will take any questions the Board may have.

JAMES WIESNER: So they -- do they have any idea how many people will be working in this building?

MR. FITZGERALD: I heard two numbers. Heard A and B Shift. It would be 60 employees in the A Shift. And 20 in the B. For a max of 80.

ADAM CUMMINGS: So it --

JAMES WIESNER: So it is still left -- even if both of the shifts were overlapping, it is still less than --

MR. FITZGERALD: Correct.

ADAM CUMMINGS: What is being provided.

JAMES WIESNER: -- what is being provided right now. And quite honestly, there is ability if -- to get more spaces if it ever became a problem.

ADAM CUMMINGS: True.

JAMES WIESNER: Because you could always go -- go further out back.

I don't have any other questions.

ADAM CUMMINGS: Well, they could stack them. Start stacking cars.

JAMES WIESNER: Carvana.

ADAM CUMMINGS: That's right.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Philip Supernault made a motion to close the Public Hearing portion of this application, and James Wiesner seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: I don't have any other questions. We had good questions from the Board. I just want to add the one description. We're not reducing -- or statement. We're not reducing any of the sea of asphalt here, but as Jim (Wiesner) said, we can accommodate it in the future without having to expand it. So if they don't need it, as Mr. Fitzgerald said, then I think it's a better use to keep those mechanical -- I'm assuming the uninterruptable power supply is a big old generator?

MR. FITZGERALD: Yes. And easier for you to say than myself.

ADAM CUMMINGS: Okay.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be an Unlisted Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

ADAM CUMMINGS: Side Table, last shot? Anything else to add on this application?

PAUL WANZENRIED: Not pertaining to this.

ADAM CUMMINGS: Just wanted to make sure.

Philip Supernault made a motion to approve the application with no conditions, and Fred Trott seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 4 yes with no conditions, and the following finding of fact was cited:

1. Site has sufficient parking to allow reduction of parking, which will also reduce amount of impervious area that is not required for this property use.
4. Application of Cheng Ning Jong, 216 King Road, Churchville, New York 14428 owner; for a variance to erect an accessory structure (shed) 216 sq. ft. (192 sq. ft. allowed) at property located at 216 King Road in R-1-15 District.

Cheng Ning Jong was present to represent the application.

ADAM CUMMINGS: If I said your name wrong today, I apologize. So if you can correct me, I will make sure to get it right the next time.

MR. JONG: Cheng Ning Jong. Cheng, with a G at the end. C-H-E-N-G. Ning, N-I-N-G. Both are my first name. And then my last name is Jong, J-O-N-G. 216 King Road, Churchville New York 14428.

I guess you guys are saving the most boring one for last. I don't see anybody here.

ADAM CUMMINGS: I don't think anyone is here for your application.

Your picture shows us right where it is going to go on that one. It is out of the easements. And it's got the setback requirements.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Fred Trott made a motion to close the Public Hearing portion of this application, and Philip Supernault seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: One condition of approval will be the need for a building permit, which you already started with Paul (Wanzenried), so just continue on with that.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type 2 Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

Philip Supernault made a motion to approve the application with a condition, and James Wiesner seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 4 yes with the following condition:

1. Building permit must be obtained.

The following finding of fact was cited:

1. Variance requested is not excessive and there are numerous similar structures of this size on properties in the area.

Fred Trott made a motion to accept and adopt the 8/23/22 Zoning Board of Appeals meeting minutes, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

ADAM CUMMINGS: Next meeting is October 25th, as far as I know.

Adam Cummings made a motion to adjourn the meeting, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

The meeting ended at 7:31 p.m.