

MINUTES  
TOWN OF GORHAM ZONING BOARD OF APPEALS  
July 19, 2007

PRESENT: Chairman Hoover            Mr. Schilbe  
          Mr. Lewis                    Mr. Ebersol  
          Mr. Johnson                Mr. Conley  
          Mr. Blaker

Chairman Hoover called the meeting to order at 7:30 PM.

Mr. Lewis made a motion to approve the minutes of the June 21, 2007, meeting. Mr. Schilbe seconded the motion, which carried unanimously.

PUBLIC HEARINGS:

Application #07-071, Judith Smith, owner of property at 3702 Nibawauka Beach, request an area variance to build a single family home with an attached garage. Proposed single family home with attached garage does not meet the side yard setbacks, rear yard setbacks and exceeds lot coverage.

Application was required to go to the Ontario County Planning Board. Determined to be a Type II action, which does not require further review under SEQR.

The public hearing was re-opened from June 21, 2007, and the notice as it was published in the official newspaper of the Town was read.

The applicant after revising the plan is requesting a 6 foot variance for a setback of 9 feet on the south side, an 11 foot variance for a setback of 19 feet on the road side and lot coverage of 29.6%.

The Ontario County Planning Board made the following recommendation: the Town is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.

Marty Fredricksen, Architect, and Judith Smith were present and presented the application to the board.

Chairman Hoover asked how they came up with the significant difference in lot coverage from the last plan.

Mr. Fredricksen stated that they have eliminated the driveway. They have decided to use permeable material for the driveway. The one the applicant is thinking of using is the block with grass. Several other things have also been removed, such as the wood stairway, concrete paver walk and a concrete stoop.

Mr. Schilbe stated that he would like to see them use the grass pavers for the driveway.

Chairman Hoover asked Ms. Smith if she has reduced the home to the absolute minimum that she feels that she can work with.

Ms. Smith stated that she has and would like to make this here permanent residence and would really like to have a garage.

Ms. Smith stated that her neighbors have seen the plan and are in favor of it. She has several letters and e-mails from her neighbors.

Chairman Hoover asked if there were any comments from the public. Hearing none, the public hearing was closed.

After reviewing the back of the application the following motion was made [attached hereto]: Mr. Lewis made a motion to grant a variance of 6 feet for a 9 foot setback on the south side, an 11 foot variance for a setback of 19 feet on the rear and a lot coverage variance of 4.6% for coverage of 29.6%. The driveway is to be permeable paving of block with grass. Mr. Conley seconded the motion, which carried unanimously.

Application #07-098, Crystal Beach Fire Department, owners of property at 4468 State Rt. 364 requests an area variance to build a 36 x 48 addition. Proposed addition does not meet the side yard setback.

Application was required to go to the Ontario County Planning Board. Determined to be a Type II action, which does not require further review under SEQOR.

The Ontario County Planning Board determined the application to be a Class 1 with no comments.

The applicant is requesting a 5.3 foot variance for a setback of 14.7 feet on the south side.

Peter Fowles from Chrisantha Construction Corp. was present and presented the plan for the applicant.

Chairman Hoover asked if any thought has been given as to shrinking the building down a little.

Mr. Fowles stated that they have a trailer that they would like to store in the addition that shrinking it down would pose a problem for them.

Mr. Fowles stated that the application as presented does not meet the 20% green space. They can achieve that very easily by removing some existing pavement on the west side of the addition to meet the lot coverage requirement.

Chairman Hoover asked if there were any comments from the public. Hearing none, the public hearing was closed.

After reviewing the back of the application the following motion was made [attached hereto]: Mr. Schilbe made a motion to grant a variance of 5.3 feet for a setback of 14.7 feet and the lot coverage is not to exceed 80%. Mr. Johnson seconded the motion, which carried unanimously.

Mr. Schilbe made a motion to adjourn the meeting at 8:10 PM.  
Mr. Johnson seconded the motion, which carried unanimously.

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Chairman Hoover, Chairman

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Sue Yarger, Secretary