

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
September 15, 2022

PRESENT: Chairman Bentley Mr. Bishop
 Mr. Morris Mr. Lonsberry

PRESENT BY ZOOM: Mr. Coriddi

EXCUSED: Mr. Goodwin & Mr. Amato

Chairman Bentley called the meeting to order at 7:00 PM and explained the process. Mr. Lonsberry made a motion to approve the August 18, 2022, minutes as presented. Mr. Bishop seconded the motion, which carried unanimously.

PUBLIC HEARING:

Application #22-095, Douglas & Kathleen Crane, owners of property at 3928 & 3930 State Rt 364, requests an area variance to build a 12' x 20' deck on 3928 and improve an open porch on 3930. Proposed 12' x 20' deck does not meet the north side setback and exceeds lot coverage.

Chairman Bentley re-opened the public hearing that was adjourned on August 18, 2022, and the notice as it appeared in the official newspaper of the town was read.

The application was required to go to the Ontario County Planning Board.

The Ontario County Planning Board made the following findings, comments and recommendation.

Findings:

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality Of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.

7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.

8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

Comments:

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.

2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

Final Recommendation: Denial

Douglas & Kathleen Crane were present and presented their application to the board.

Chairman Bentley went over what was requested of the applicants to move forward with the application. Lot coverage was in questioned. The existing lot coverage is 32.4% and proposed is 34.3%. The setbacks from the property line for the proposed 12 x 20 deck are now listed on the plan.

After discussing the application and reviewing the questions on the back of the application the following motion [attached hereto] was made: Chairman Bentley made a motion to grant a 9.5' variance for a setback of 5.5' on the northwest corner and a 9.6' variance for a 5.4' setback on the northeast corner for a 12' x 20' deck on 3928. The lot coverage is not to exceed 34.3%. The 8 x 10 porch on 3930 is to be built as proposed. Mr. Bishop seconded the motion, which carried unanimously.

Chairman Bentley made a motion to adjourn the meeting at 7:08PM. Mr. Morris seconded the motion, which carried unanimously.

Michael Bentley, Chairman

Sue Yarger, Secretary