

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
July 19, 2018

PRESENT: Chairman Bentley Mrs. Oliver
 Mr. Amato Mr. Coriddi
 Mr. Burley

EXCUSED: Mr. Airth Mr. Lonsberry

Chairman Bentley called the meeting to order at 7:30 PM and explained the process. Mr. Amato made a motion to approve the minutes of the May 17, 2018, meeting. Mr. Coriddi seconded the motion, which carried unanimously.

PUBLIC HEARING:

Application #18-166, James & Patricia Witzel, owners of property at 4060 State Rt. 364, requests an area variance to build a 20' x 22' residential addition and 6' x 9' porch. Proposed addition and porch does not meet the north and south side yard setbacks and exceeds lot coverage.

Chairman Bentley opened the public hearing and the notice as it appeared in the official newspaper of the Town was read.

The application was required to go the County Planning Board. The County made the following findings and comments:
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 town should grant the minimum variances necessary.

Final Recommendation: Denial

Paul Zachman, Architect and James Witzel were present and presented the application to the board.

Mr. Zachman stated that the Witzel's are planning on make this property their year around residence. The proposal is a rear addition away from the lake. The footprint is 20' x 22'. The addition will step in 2 feet on the north and will remain flush with the south side of the house. The front entry has an existing flag stone concrete landing stoop. The front side of the house is actually on the north side of the property. They are proposing putting a roof over the existing stoop and extend the stoop out about 18 inches. There is a 30' x 4' stoop on the south side that is going to be removed. This stoop was not listed on the plan and was not figured in the lot coverage analysis.

Chairman Bentley stated that you are asking for three variances and asked if they have thought of any ways to minimize those variances other than what has been proposed.

Mr. Zachman stated that the way the house orients and the fact that you enter on the north side that is the reason they stepped the addition in on that back corner. He worked with the Witzel's to have a functional reasonable space to add a master bedroom suite that would be functional and proportioned in a comfortable manner without going to large. They could move the addition to the north but it would cause issues with the interior floor plan.

Mr. Witzel stated that he did talk to both his neighbors about his proposal and they both did not have any issues with the proposal.

Mr. Zachman presented the elevations and a preliminary floor plan for the board to review.

Chairman Bentley stated that he believes they could eliminate or reduce one of the variances by shifting the addition to the north 3 feet.

Mr. Zachman stated that they would have to move the addition to the north 3' 9" to be within the 15' setback.

Mr. Amato stated that the variance may not be eliminated on the south side but could be minimized.

Mr. Zachman stated that the other challenge with moving the addition to the north is they would be going on top of the existing sidewalk.

Chairman Bentley asked if there were any comments from the public.

Brett Johnson, Chairman of the Conservation Board introduced himself to the ZBA and stated that he was just here to monitor and learn what he can.

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

After discussing the application and reviewing the questions on the back of the application the following motion was made [attached hereto]: Mr. Amato made a motion to grant a 3.7' variance for a setback of 11.3' on the south side yard. A 3.3' variance for a setback of 11.7' on the north side yard. Lot coverage variance of 2.1% for lot coverage of 27.1%. Mr. Burley seconded the motion, which carried unanimously.

Mr. Amato made a motion to adjourn the meeting at 8:12. Mr. Coriddi seconded the motion, which carried unanimously.

Michael Bentley, Chairman

Sue Yarger, Secretary