

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
April 18, 2019

PRESENT: Chairman Bentley Mr. Lonsberry
 Mrs. Oliver Mr. Coriddi
 Mr. Burley Mr. Morris-Alternate

EXCUSED: Mr. Amato

Chairman Bentley called the meeting to order at 7:00 PM and explained the process. Mrs. Oliver made a motion to approve the minutes of the March 18, 2019, meeting. Mr. Coriddi seconded the motion, which carried unanimously.

MISCELLANEOUS:

There was a brief discussion on rehearing Application #19-012, Dolores Kruchten, owner of property at 4124 Torrey Bch., requesting area variances to build a single family home and relocate an existing shed that was granted variances on February 21, 2019. Mr. Amato was teleconferenced for the discussion and vote. Mr. Lonsberry made a motion to rehear Application #19-012, Dolores Kruchten, owner of property at 4124 Torrey Beach. Chairman Bentley seconded the motion. Roll call was read with Amato, Bentley, Oliver, Burley, Lonsberry & Coriddi voting AYE. Motion carried.

PUBLIC HEARINGS:

Application #19-030, Pierre & Karen Heroux, owners of property at 3780 Meadow View Dr., requests an area variance to build a single family home with attached garage. Proposed home and garage does not meet the north and south side and front yard setbacks and exceeds lot coverage.

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

Pierre Heroux & Brain Heminger, Marks Engineering was present and presented the application to the board.

Mr. Heminger stated that the applicant is proposing a two story home that will set in the same location as the existing home on the north and west side and will be about 4 foot closer to the lot line on the south side than the existing home is.

The existing home is 26' x 52' the proposed is 31.5' x 62' plus the front porch, making it 31.5' x 74'.

Mr. Morris stated that the existing recorded survey has totally different setbacks on the existing house than what has been shown.

Mr. Heminger stated that the proposed setbacks include the overhang of the building.

Mr. Morris asked if the boundary information was provided by a land surveyor.

Brian Heminger stated yes by Freeland/Parrinello.

Mr. Morris stated that should be stated on the plan that the boundary information was provided by a license surveyor.

Mr. Lonsberry stated that last month one of the biggest issues was the lot coverage, exceeding the 50% lot coverage on the lakeside and asked if and how they have addressed that.

Mr. Heminger stated that they addressed this by removing the two front existing decks that were on the lake side. The driveway that is going to the proposed garage is now going to be grass.

On the plan there was a discrepancy in the total lot coverage. One area is stated 39.79% and in another area there is a note that states 39.95%.

Mr. Heminger stated that he was unsure which number was correct.

Mrs. Oliver asked if the removing of the two lake side decks was the only change.

Mr. Heminger stated the decks and removing the driveway.

Mrs. Oliver asked if the driveway could be changed at a later date. She expressed that she does not feel a grass driveway is going to work that close to the lake. How would this ever be plowed, being a year around home?

Chairman Bentley asked if this was going to be a year around home.

Mr. Heroux stated yes.

Chairman Bentley questioned having a grass driveway in the winter.

Mr. Heroux stated that there plan is to put some sort of stone in there but grass primarily.

Chairman Bentley explained that stone adds to the lot coverage.

Mrs. Oliver stated that grass is a yard and they will not be able to plow a yard.

Mrs. Oliver question if the application was approved as presented there'd be no coming back and adding a driveway.

Chairman Bentley stated the applicant would have to apply for a variance for an increase in lot coverage.

Pervious pavers were brought up and Mr. Heroux stated that that is what they will probably put in for the driveway at some point.

Chairman Bentley stated that the pervious pavers will need to be added on the plan.

Chairman Bentley expressed that he feels that the applicant has room to reduce the lot coverage. He explained that the ZBA's job is to grant the minimum variance necessary for the applicant to achieve his goal. Also to grant a variance the correct lot coverage calculation needs to be on the plan and if pervious pavers are going to be used for the driveway, that needs to be shown on the plan.

Mr. Heroux stated that their goal is to build a home that they are going to be able to enjoy. If they make it narrower and smaller to a point where it is no longer what they want they are just not going to do it. They feel comfortable with what they are currently presenting.

Chairman Bentley asked if there were any comments from the public. Hearing none, the public hearing was adjourned to be re-opened on May 16, 2019, at 7:00 PM.

Application #19-038, Hans & Cindy Schwab, owners of property at 5187 County Road 11, request an area variance to build a covered porch. Proposed porch does not meet the front yard setback and side yard setback.

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

The Ontario County Planning Board determined the application to be a Class 1 and returned the application to the local board with recommendation of approval with comments.

Hans Schwab was present and presented his application to the board.

Mr. Schwab stated that they would like to add a covered porch on the north side of the house that borders Lakeview Ave. and a covered porch on the west side of the house that borders County Road 11, which will tie into the existing porch in the back of the house.

Mr. Morris asked if the porch was going to be open and not enclosed.

Mr. Schwab stated that it will be an open porch. It is just for summer use.

Chairman Bentley asked if there were any 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]: Chairman Bentley made a motion to grant a 22.6' front yard variance from Lakeview Ave. for a setback of 12.4' and a 2.1' side yard variance for a setback of 12.9'. Mr. Lonsberry seconded the motion, which carried unanimously.

Chairman Bentley made a motion to adjourn the meeting at 7:42. Mr. Lonsberry seconded the motion, which carried unanimously.

Michael Bentley, Chairman

Sue Yarger, Secretary