

MINUTES
TOWN OF GORHAM ZONING BOARD OF APPEALS
May 18, 2017

PRESENT: Mr. Johnson Mrs. Oliver
 Mr. Bentley Ms. Hoover - Alternate
 Mr. Amato

EXCUSED: Mr. Airth Chairman Hoover
 Mr. Amato

Mr. Johnson called the meeting to order at 7:30 PM. Mr. Bentley made a motion to approve the minutes of the April 20, 2017, meeting. Mrs. Oliver seconded the motion, which carried unanimously.

PUBLIC HEARING:

Application #17-021, David & Karen Lanning owners of property at 5102 County Road 11, requests an area variance to build a single family home. Proposed home does not meet the north and south side yard setback. The proposed new home exceeds lot coverage.

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

The applicant notified the Zoning Office that they are still working on their revised plans and asked for an adjournment.

Mr. Johnson asked if there were any comments on this application. Hearing none, the application was adjourned to be re-opened on June 15, 2017, at 7:30PM.

Application #17-046, John A. Manila, owner of property at 5220 & 5222 Long Point Road, requests an area variance to build a single family home. Proposed home does not meet the front yard setback, the rear yard setback, the south side yard setback, and exceeds lot coverage.

The application did go to Ontario County Planning Board. The County Planning Board made the following comment and findings: The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods.

The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

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.

Final Recommendation: Denial

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

Scott Harter, Professional Engineer and John & Stephanie Manila were present and presented their application to the board.

Mr. Harter stated that after they received the approvals from the Town to add an addition to their cottage they met with their contractor and it was decided that building new would be better.

Mr. Manila stated that they had potential structure issues with the existing cottage. Another issue was when they got the cost to do the renovation to the existing cottage it appeared that it would be less expensive to build new.

Mr. Johnson asked that a measurement from the bump out for the window well be shown to the property line.

Mr. Johnson asked if the house could be narrowed up a little to get the home within the setback on the southwest corner.

The board and applicant went on to discuss options in moving the home off of the southwest corner. It was suggested that they rotate the home 1.8'. It was also suggested moving it forward closer to the lake to eliminate the variance on the southwest corner.

Mr. Harter stated that he could work the plan and rotate the home and work the plan moving the home forward and come back next month showing the setbacks on both plans.

Mr. Johnson asked if there were any comments from the public. Hearing none, the public hearing was adjourned to be reopened on June 15, 2017, at 7:30PM.

Mr. Bentley made a motion to adjourn the meeting at 7:53PM. Mrs. Oliver seconded the motion, which carried unanimously.

William Johnson, Vice Chairman

Sue Yarger, Secretary