

VILLAGE OF HONEOYE FALLS ZONING BOARD

September 24, 2007

MEMBERS PRESENT: C. Harold Gaffin, Chair; Hank Besanceney;
Jim Hoh

ALSO PRESENT: Charlie Johnson, Code Enforcement Officer; Jim Turner;
Ryan Stoner, Mathstone Corp.

Chairman Gaffin called the public hearing to order at 7:29 PM

PUBLIC HEARING: USE VARIANCE: 18 NORTON STREET: MATHSTONE

Ryan Stoner presented on behalf of Mathstone Corporation. They are applying for a Use Variance for 18 Norton St. to allow three residential units on the second floor. The first floor has two commercial units. The plans for 18 Norton St. were approved by the Planning Board in April 2007. However, the square footage had to be changed to accommodate one of the commercial tenants. This also resulted in a change to the façade of the building.

Mathstone presented the updated plans to the Planning Board on September 10, 2007. At that time, Mike Tobin pointed out that the new plans violated sections 190-9, 190-38 and 190-39.1 of the Village Code and explained that a zoning variance would have to be approved by the Zoning Board. The Planning Board approved the plans contingent on approval from the Zoning Board. A letter stating this was sent to the Zoning Board from Denise Heischman, Planning Board Chair.

Chair Gaffin asked if the plans meet all the requirements for square footage and setbacks. Mr. Stoner assured the board that all requirements had been met.

Mr. Hoh asked for an explanation of what part of 190-39.1 the current plans violate. It was agreed that the code, as written, is ambiguous and contradictory. Chair Gaffin stated that the Planning Board should re-write that section of the code to remove the contradictions and asked that Mr. Johnson draft a letter to the Planning Board.

As there was no input from the public, the public hearing was closed at 7:42 PM

Motion by Hank Besanceney, seconded by Jim Hoh, to grant the variance for residential use as shown on the plans received September 17, 2007.

Mr. Besanceney stated that the plans are in keeping with what currently exists in the Village. Mr. Hoh said he saw no reason why the variance shouldn't be granted given the letter from the Planning Board and the fact that the plans are in keeping with other structures. Mr. Hoh also stated that it would be redundant to fill out the Use Variance Determination Worksheet since all the points in the worksheet were covered in the application (attached).

The Board asked that Charlie Johnson draft a letter to the Planning Board requesting the Code be changed to reflect their intent for the TV zone.

ROLL CALL VOTE

1. H. Besanceney – Aye

2. H. Gaffin – Aye
3. J. Hoh - Aye
ALL IN FAVOR
MOTION GRANTED

APPROVE MINUTES

Chair Gaffin asked that approval of June 25, 2007 minutes tabled until next meeting when full board is present. All agreed

Motion by Hank Besanceney, seconded by Jim Hoh to adjourn the meeting 7:55 PM.
ALL IN FAVOR
MOTION PASSED

Respectfully submitted,

*Judi Barrett
Clerk for the Zoning Board of Appeals*