

**Town of Geneseo
Zoning Board of Appeals
Dennis/Marianne Anthony
5375 West Lake Road
Tax Map #100.43-1-121
8:00 PM Tuesday, July 26, 2022**

An Appeal by **Dennis/Marianne Anthony** to expand the existing footprint by 264 sq. ft. which would provide no south side setback where 15' is required in this district in the Town of Geneseo Zoning code.

Board Members Present: **John Maxwell, chair, Ken Book, Mike DaBramo, Don Kearney, and Carolyn Meisel.**

Public Present: **Jared Radesi**, Code Enforcement Officer, **Joseph O'Donnell, architect, Dennis and Marianne Anthony, applicants, 5375 West Lake Rd., and Michael Brugnani**, the next-door neighbor to the north at 5371 West Lake Rd.

The **County Planning Department** has reviewed this application and determined that it has no significant Countywide or inter-municipal impact regarding existing County plans, programs, and activities.

Chair John Maxwell regarding SEQRA--Since the proposed action has been considered under SEQRA and has met the requirements for a Type II action #9,12 and13, the proposed action is not environmentally significant.

In the previous hearing, all board members had visited the site. 27 green cards went out. 26 were signed and returned.

Chair John Maxwell opened the tabled meeting at 8:00 PM and invited Joseph O'Donnell to sit at the table and explain what changes have been made and what they are looking for tonight.

Joseph O'Donnell The plan is to move the cottage off that line and onto the property. To do that we need help with side lot variances. The owner of the drainage ditch adjacent to this property was not willing to sell but was ok with the Anthony's working on it. He has not offered anything in writing to verify what he told them. He is aware this easement floods properties on either side and that they need to protect themselves. He, Marshall Kelly, wanted a dock and when he learned that will never be possible, all communications with him have ceased.

The lot coverage was an issue. The net coverage will be 25 sq. ft. They will shift away from the retaining wall. The plans have not changed. They would like to place the home 3' from the north boundary and 1.5' from the south.

Michael Brugnani, the neighbor to the north, spoke in support of the plans presented. there is plenty of room beside him. No neighbors object.

Plans for the structure were presented but halted. The **Board** began a discussion as the concern was not with the structure but with it being too large for the land. No easements as large as these will be granted by this board. The required distance to a sideline is 15'. This board is willing to go 50% of

that or 7.5'. If the structure were reduced (much discussion and figuring occurred), this Board would go for a 10' variance on the north side and a 10' variance on the south side. Any smaller and there would be nothing left to construct a home. The existing lot size excluding the highway is .072 acres.

All parties agreed that a redesign of the structure could add an attic and shrink the footprint to allow the above variances to work. The board has no need to see the final plans if the side variances are observed.

As to lot coverage, by reducing the structure size, the lot coverage would be less than 40% unless new walkways or driveway were added. If so, these should be of a pervious substance. All parties seemed to agree

Chairman John Maxwell directed the Board to go through the 5 questions necessary to grant an area variance of 10' on the south side and 10' on the north side of property when the side lot allowed is 15' in this district as per the Town of Geneseo Zoning Code.

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance?

John Maxwell	No	
Ken Book	No	
Mike DaBramo	No	May be a nicer house
Don Kearney	No	
Carolyn Meisel	No	

2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance?

John Maxwell	No	
Ken Book	No	
Mike DaBramo	Yes	Smaller house can be rebuilt
Don Kearney	No	
Carolyn Meisel	No	

3. Is the requested variance substantial?

John Maxwell	Yes	on both sides
Ken Book	Yes	
Mike DaBramo	Yes	67% setback variances on north and south sides
Don Kearney	Yes	
Carolyn Meisel	Yes	well over 50%

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

John Maxwell	No	
Ken Book	No	
Mike DaBramo	No	
Don Kearney	No	
Carolyn Meisel	No	

5. Is the alleged difficulty self created?

John Maxwell	Yes	fix an existing problem
Ken Book	No	
Mike DaBramo	No	
Don Kearney		No fix an issue with property on others property
Carolyn Meisel	No	

Carolyn Meisel moved to grant an area variance of 10' on the south side and 10' on the north side of property at 4375 West Lake Rd., not to exceed 40% lot coverage with any impermeable surfaces.

Don Kearney seconded. Carried.

Mike Debramo moved to close the hearing at 9:00. **Carolyn Meisel** seconded. Carried.

Jared Radesi briefed the board on upcoming possible hearings and worked with the board to create an outline of subjects to be discussed at our training meeting with Jerod. This training cannot happen until fall as Jerod is in training himself and has no free time. The Board will continue to work on an outline for that presentation.

at 10PM **Carolyn Meisel** moved to close the meeting. **Mike Dabramo** seconded. Carried.

Respectfully submitted by **Carolyn C. Meisel**, Secretary, Geneseo Town Zoning Board of Appeals.