

**TOWN OF PARMA
ZONING BOARD OF APPEALS
July 18, 2013**

Members Present: Blake Keller
Veronica Robillard
Stephen Shelley
Dean Snyder
Jim Zollweg

Members Absent: Tim Thomas

Others Present: Jack Barton, Gary Comardo

Public Present: Gary DiMora, Julie DiMora, Jose R. Santiago, Wendy Meagher, Don Payne, Gary Comardo, Rich Ricotta, Christine Devey, Marco Mattioli, Kris Schultz

The meeting was called to Order by Chairperson Robillard at 7:08 p.m. She explained the function of the ZBOA and the decision-making process. She explained that a quorum of three is required to pass a motion.

TABLED PUBLIC HEARINGS

1. JAMES ZABAWSKY – 1769 HILTON PARMA ROAD

The application of James Zabawsky, owner, for an area variance at 1769 Hilton Parma Road. The applicant is proposing to construct a detached garage with a side setback of five feet from the southerly property line and is requesting relief from Town Zoning Article 11, subsection 165-87.A.1 which establishes a minimum side setback of ten feet. This property is currently zoned Rural Residential (RR).

Jack Barton stated he received a call and an email requesting that this matter be tabled until the next meeting to allow the applicant time to gather additional data.

A **Motion** was made by Stephen Shelley to table the application of James Zabawsky, owner, for an area variance at 1769 Hilton Parma Road until the August 2013 meeting, without prejudice, to allow the applicant additional time to gather information.

Seconded by Jim Zollweg. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

2. MICHAEL EISELE – 190 OGDEN PARMA TOWN LINE ROAD

The application of Michael Eisele, owner, for an area variance at 190 Ogden Parma Town Line Road. Applicant is requesting an area variance to add 883 square feet to an existing 621 square feet shed to provide additional area for storage. The total area of accessory structure on this property will be 2105 square feet. Town Zoning Article 5, subsection 165.33.C.2 limits the total area of accessory structures to 600 square feet. This property is currently zoned Medium Density Residential (MD).

Jack Barton stated he received a phone call and an email asking for this matter to be tabled until the next meeting to allow the applicant time to gather additional information and to get a better drawing.

A **Motion** was made by Jim Zollweg to table the application of Michael Eisele, owner, for an area variance at 190 Ogden Parma Town Line Road until the August 2013 meeting, without prejudice, to allow the applicant additional time to gather information and obtain a better drawing.

Seconded by Stephen Shelley. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

NEW BUSINESS

3. FARMINGTON LAWN CARE, INC. – 4658 RIDGE ROAD WEST

The application of Farmington Lawn Care, Inc., contract vendee, for three area variances at 4658 Ridge Road West. Applicants are proposing to construct a retail store and are requesting to erect a six feet high decorative fence in the front yard with a setback of 57 feet from the road right-of-way for display of merchandise and create 81 vehicle parking spaces for store use. Applicants are requesting relief from Town Zoning Article 6, subsection 165-40.C.2 which requires that the display area be setback 100 feet from the road right-of-way, Article 16, subsection 165-128.A.2 which limits fence height in the front yard to three feet and Schedule 2 which requires 152 vehicle parking spaces. This property is currently zoned Highway Commercial (HC).

Wendy Meagher, the engineer for the project explained that they are proposing to build a 2200 square foot building with a 6 foot fence for security of the display items. She showed the board a list of 21 other business along Ridge Road West that encroaches into the Ridge Road right-of-way and explained that it is necessary to have the display in front of the building to show the merchandise. Ms. Meagher talked about the parking at the building. There are 15 other stores in the upstate New York and Rochester area and this store is typical of those. The most parking at any of the buildings is 76 parking spaces. The business does not require the 152 spaces required by the code. She provided data to the board showing the sales that the store currently has on Ridge Road. Chairperson Robillard asked how she obtained the data. Mr. Payne and Ms. Meagher said that data is based on the sales at the store per hour; the average is 12 to 18, with May being higher. The other location on West Ridge Road, west of Route 259, would be closing.

Board Discussion: Jack Barton reported that notifications were in order, the request was returned by Monroe County as a matter of local determination, and that this is a Type II action under SEQR and no further review is required.

Public Comment: None. Public Hearing closed.

A **Motion** was made by Dean Snyder to approve the application of Farmington Lawn Care, Inc., contract vendee, for three area variances at 4658 Ridge Road West. The first is to construct a retail store and to erect a six feet high black metal open decorative fence as shown in the photo presented by the applicant which grants relief from the three feet allowed under the code. This would be located in the front yard with a setback of 57 feet from the road right-of-way for display of merchandise. Also, I move to approve the variance to allow 81 vehicle parking spaces for store use, which grants relief from the 152 vehicle parking spaces as required by the code and third I move to grant relief for the setback of 57 feet from the road right-of-way for display of merchandise as opposed to the code which requires 100 feet from the road right-of-way. This property is currently zoned Highway Commercial (HC).

In making this determination (fence):

1. I don't believe the benefit can be achieved by other means feasible to the applicant. I believe the applicant has examined all other options available. In this location a six foot high fence is required for security reasons. The type of fence presented by the applicant is a decorative fence and looks appropriate for that location so it satisfies the requirement and is a visually pleasing fence yet satisfies the applicant's requirements for security for the nursery stock contained behind it.
2. There will be no undesirable change in neighborhood character or to nearby properties.
3. The request is substantial.
4. There will be no adverse physical or environmental effects.
5. The alleged difficulty is self-created; however, using the balancing test, the benefit to the applicant far outweighs any detriment to the health, safety and welfare of the community.

In making this determination for the second part of the motion (parking spaces):

1. I don't believe the benefit can be achieved by other means feasible to the applicant. The applicant has shown that 81 parking spaces are appropriate for this type of business. Although our code calls out 152 vehicle parking spaces based on the square footage of their proposed building, that would be inappropriate and excessive while creating an eyesore to the neighborhood having unused parking spaces in that area.
2. There will be no undesirable change in neighborhood character or to nearby properties. I believe this improves the character of the neighborhood and to neighboring properties.
3. The request is substantial.

4. There will be no adverse physical or environmental effects.
5. The alleged difficulty is self-created; however, using the balancing test, the benefit to the applicant far outweighs any detriment to the health, safety and welfare of the community.

In making this determination for the third part of the motion (57 feet from the road right-of-way):

1. I don't believe the benefit can be achieved by other means feasible to the applicant. The applicant has shown that there are several other businesses in the area that have merchandise areas in the 100 feet setback where it has not been a problem. In their particular location because the point of sale is at a lower elevation than the road I believe this 57 feet is appropriate. Based on our evaluation of the drawings provided it is intuitive that there is no other location for the building that would allow the required 100 feet setback from the right-of-way.
2. There will be no undesirable change in neighborhood character or to nearby properties as shown by the 21 properties listed by the applicant.
3. The request is substantial.
4. There will be no adverse physical or environmental effects.
5. The alleged difficulty is self-created; however, using the balancing test, the benefit to the applicant far outweighs any detriment to the health, safety and welfare of the community.

Seconded by Stephen Shelley. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

4. JOSE SANTIAGO – 5088 RIDGE ROAD WEST

The application of Jose Santiago, owner, for an area variance at 5088 Ridge Road West. The applicant is proposing to operate a service business on the first floor of the structure and a residence on the second floor with the kitchen and den of the residence on the first floor. The applicant is requesting relief from Town Zoning Article 6, subsection 165-39.C.3 which states in part that the residence shall not be on the same floor of the building with the commercial use. This property is currently zoned General Commercial (GC).

Jose Santiago, owner, explained that he is the owner of Dynamite Limousine, which is an existing business for the past three years, and due to financial difficulties that have occurred since purchasing the property in May 2013 and job loss he is unable to finish the renovations on the second floor. There are three limos stored in the back. Chairperson Robillard asked who lives in the premises. Applicant responded only he lives there. Chairperson Robillard asked if he had any intention of renting this. Applicant said not currently. Jack Barton explained that this cannot be rented because the apartment is associated with the business, it could only be for personal use not rented to just anyone, whoever lives there has to be associated with the business. Applicant said he has no plans for that and would come back to the board if that were to change. There are a total of 29 acres.

Board Discussion: Jack Barton reported that notifications were in order, the request was returned by Monroe County as a matter of local determination, and that this is a Type II action under SEQR and no further review is required. Jack Barton told the board that Planning Board has signed off on this and Mr. Santiago has been working with the Building Department with no issues.

Dean Snyder asked if the applicant planned to keep the kitchen and den permanently on the first floor or is this temporary until the second floor can be renovated. Applicant responded that it would be temporary until he could fix it up to code but does not have a timeframe for that. Dean Snyder asked Jack to explain why this is an area variance and not a use variance. Jack Barton stated that this use is allowed in this area. There was discussion among the board about whether to impose a time period for this renovation to be completed. There are 3 rooms on the first floor and 6 rooms on the second floor. Dean Snyder felt that things are really tight and there would be no way for this first floor to be converted into an apartment. Chairperson Robillard asked with it being commercial with a residence, is it restricted to one family. Jack Barton explained it has lost its preexisting nonconforming use and is now commercial because it was vacant for so long and because it is a business it has annual inspections.

Public Comment: None. Public Hearing closed.

A **Motion** was made by Dean Snyder to approve the application of Jose Santiago, owner, for an area variance at 5088 Ridge Road West to operate a service business on the first floor of the structure and a residence on the second floor of the

structure with the kitchen and den of the residence located on the first floor. This grants relief from Town Zoning Article 6, subsection 165-39.C.3 which states in part that the residence shall not be on the same floor of the building with the commercial use. This property is currently zoned General Commercial (GC).

In making this determination:

1. I don't believe the benefit can be achieved by other means feasible to the applicant. The applicant has come into some financial distress due to means beyond his control at about the same time he closed on the property. This is an opportunity for the applicant to minimize his costs while hopefully making his business successful during the transition of which he renovates the second floor. The apartment is to be used by someone associated with the primary use of the building which is a business.
2. There will be no undesirable change in neighborhood character or to nearby properties. By allowing the kitchen and den on the first floor there would be absolutely no impact visually or otherwise to the neighbors.
3. The request is substantial.
4. There will be no adverse physical or environmental effects.
5. The alleged difficulty is self-created; however, using the balancing test, the benefit to the applicant far outweighs any detriment to the health, safety and welfare of the community.

Seconded by Jim Zollweg. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

5. ANNA RICOTTA – 5064 RIDGE ROAD WEST

The application of Anna Ricotta, owner, for a Special Permit to display and sell automobiles at 5064 Ridge Road West. This property previously had a Special Permit that was last renewed in 2011. The Special Permit has expired and the owner is requesting a new Special Permit for the display and sales of 71 vehicles as was stated in the previous Permit. This property is currently zoned Highway Commercial (HC) which allows this use with a Special Permit.

Richard Ricotta, son of the owner explained he would like to renew the Special Use Permit for the display and sale of automobiles. Chairperson Robillard asked why there has been a lapse in the renewal for over two years and why they have been operating the business during that time without the Special Permit. Mr. Ricotta explained that he has been in the process of taking care of the back building and has been in front of the Planning and Town Boards to do the repairs on that building and was not sure if it was something that could be done at the same time or not. Chairperson Robillard explained that it is a responsibility of the applicant to renew timely. There was discussion about the lapsing of this Special Permit over the years. Mr. Ricotta said this would not lapse again.

Board Discussion: Jack Barton reported that notifications were in order, the request was returned by Monroe County as a matter of local determination, and that this is a Type II action under SEQR and no further review is required. Jack Barton further explained that the Zoning Enforcement Officer was reviewing the site plan submitted and that hit a snag and there was a delay, so there was fault on both sides. Mr. Ricotta will be before the Planning Board at their next meeting for final approval and the Planning Board likes to have the Zoning Board approval before they act on their final approval. Chairperson Robillard asked if there was a significant change in the site plan. Mr. Ricotta explained the back building is going to be a repair shop so he needs to put in a public hydrant and oil separators.

Public Comment: None. Public Hearing closed.

A **Motion** was made by Blake Keller to approve the application of Anna Ricotta, owner, for a Special Permit to display and sell automobiles at 5064 Ridge Road West with the following conditions:

1. This special permit allows 71 display spaces as stated in the previous permit issued February 17, 2011.
2. As stated in a previous permit, hours of operation to be 10 am to 6 pm, Monday through Friday; 10 am and 3 pm, Saturday; and a minor change in hours to 12 pm to 3 pm, Sunday.
3. That the owner insures that vehicles that are displayed or stored do not encroach on the right-of-way of Ridge Road.
4. There will be an inspection performed prior to the issuance of this Special Permit by the Zoning Enforcement Officer.
5. The period of the special permit shall be for one year, to be renewed July 2014.

This property is currently zoned Highway Commercial (HC) which allows this use with a Special Permit. Seconded by Stephen Shelley. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

6. FRANCESCO AND GIUSEPPE VIAVATTENE – 5270 RIDGE ROAD WEST

The application of Francesco and Giuseppe Viavattene, owners, for two area variances at 5270 Ridge Road West. The applicants are proposing to display and sell sheds and are requesting a display area that will be set back 25 feet from the road right-of-way and 2.4 feet from the westerly side property line. Applicants are requesting relief from Town Zoning schedule 1 which requires a 100 foot front setback and a 20 feet side setback. This property is currently zoned Highway Commercial (HC).

Kris Schultz spoke on behalf of the applicant. He explained that Mr. Burns is interested in selling sheds built by two Amish families on the applicant's property. He also displays and sells these in front of Abe's and is looking to have additional space to display and sell. Mr. Schultz explained this is a highly commercial area and that these would be placed 25 feet from the Ridge Road right-of-way in an area that would be 20 feet in depth wide. The sheds are 10 to 12 feet wide. Mr. Schultz handed out photos of other properties along Ridge Road showing parking and display in the 100 feet right-of-way and felt that it is normal whether it violates code or not. Dean Snyder asked if he knew how many of those businesses were granted variances. Mr. Schultz did not know. The sheds would be 25 feet back from where the current cars are displayed and from the Via sign on the premises and there would be a revised parking layout. Mr. Schultz feels that this would create a better look for the property. Dean Snyder asked how many of properties shown here have storage or sales within 20 feet of a residential property. Kris Schultz stated they are all commercial properties but the house next to this has residents. Stephen Shelley asked if this would be a similar setback to Abe's. Kris Schultz said they would meet the same requirement. Chairperson Robillard asked how many sheds would there be. Mr. Schultz said about a half a dozen, he explained that there is not a lot of turnover of the sheds on the premises because the Amish make the shed per the buyer's request.

Chairperson Robillard asked why so close to the lot line. Kris Shultz stated that is where the pavement ends and is currently being used to park cars, but that the side setback request is not dire to the application. Jack Barton explained that building code requires 10 feet, anything less than 10 feet would need to have approval from the State.

Board Discussion: Jack Barton reported that notifications were in order, the request was returned by Monroe County as a matter of local determination, and that this is a Type II action under SEQR and no further review is required.

Public Comment:

Chairperson Robillard read a letter in the file from Mary Catherine Statt dated July 12, 2013 who resides at 5274 Ride Road West. She is not in favor of this application and is concerned about the placement of the sheds creating issues when entering or exiting from her driveway into oncoming traffic on Ride Road West. She feels that this is already unsafe with the speed limit of the cars and that the sheds would cause a blind spot. She is worried potential customers may slow down or park on Ridge Road West in front of the sheds to get out and look instead of pulling into the parking lot causing a hazard on Ridge Road West with other oncoming traffic. She also is not in favor of the side setback on the westerly side property line because customers looking at the sheds will most likely walk on to her property to view the product no matter how the sheds are oriented. Also, customers driving by may decide last minute to look at the shed causing them to use her driveway as a turn-around or parking spot.

Kris Shultz felt that she is correct in her concerns and that he did not feel this would create a line of site issue for her when entering or exiting her driveway. In all reality the sheds will be 50 feet back like Mrs. Statt would like. Dean Snyder asked if there were 10 parking spaces available to support the business. Mr. Schultz said yes per the code. Jack Barton went on to explain the 10 spaces support the building not the sheds. Kris Schultz explained that there is not a lot of potential for parking, maybe one car, the way it works is one of the sheds becomes the "office" with brochures and then the customer can make an appointment, there is not a sales force at the sheds.

Dean Snyder felt that he cannot approve display area based on other neighboring businesses that are illegally using the setback. He does feel that 25 feet back is fine and has no issue with that. He does feel that this road is dangerous and as proposed he feels this application does address those concerns. As far as the 2.4 foot setback he has no desire to allow

that, although it is a commercial property next door it is a residence and somebody's home and does not feel this would be appropriate for the neighbor. Blake Keller is concerned that with a 20 foot setback someone would still park a car between the sheds and the boundary line and would like to mitigate that. Dean Snyder said that could be part of the motion.

A **Motion** was made by Jim Zollweg to deny the application of Francesco and Giuseppe Viavattene, owners, for a variance at 5270 Ridge Road West for 2.4 feet from the westerly side property line. Applicants are requesting relief from Town Zoning schedule 1 which requires a 20 foot side setback with the condition that there will be no vehicle display, storage or parking within this 20 foot setback from the westerly property line. This property is currently zoned Highway Commercial (HC).

In making this determination:

1. I believe the benefit can be achieved by other means feasible to the applicant and after hearing the application determined that there is no need for the sheds to be displayed so that they are encroaching into the 20 feet setback.
2. There will be undesirable change in neighborhood character or to nearby properties by having sheds that close to the boundary line which would perhaps encourage people to trespass onto that property.
3. The request is substantial.
4. There will be no adverse physical or environmental effects.
5. The alleged difficulty is self-created. Applying the balancing test, the detriment to the health, safety and welfare of the community is larger than the benefit to the applicant.

Seconded by Stephen Shelley. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

Chairperson Robillard polled the board:

Jim Zollweg: My motion stands for my reason for denial.

Stephen Shelley: My reasoning for denying is that I believe the benefit to the applicant can primarily be obtained even with a 20 foot setback and the 20 foot setback is necessary where a residence is next to a commercial property.

Blake Keller: I voted to deny because the owner of the neighboring property has reasonable expectations of an adequate setback between neighboring activities and her property line. I also believe the benefit the applicant seeks can be provided by other means feasible.

Dean Snyder: I am going to agree verbatim with Steve.

Chairperson Robillard: I feel that a denial is in order per the motion. There is no need for such a display in this area and would result in an undesirable change for the neighbor and neighborhood as discussed in the proceedings of the meeting. The request is substantial and the difficulty is self-created and there are alternative possibilities, hence denial is in order.

A **Motion** was made by Jim Zollweg to approve the application of Francesco and Giuseppe Viavattene, owners, for an area variance at 5270 Ridge Road West. The applicants are proposing to display and sell sheds and are requesting a display area that will be set back 25 feet from the road right-of-way and are requesting relief from Town Zoning schedule 1 which requires a 100 foot front setback per the proposed plan provided tonight. This property is currently zoned Highway Commercial (HC).

In making this determination:

1. I don't believe the benefit can be achieved by other means feasible to the applicant.
2. There will be no undesirable change in neighborhood character or to nearby properties. I think that 25 feet behind the right-of-way in addition to the extra space between the pavement and the right-of-way provides a substantial distance for vehicles entering and exiting. It seems to be about 45 feet from the sheds to the actual pavement which is enough space for a vehicle to see clearly, which was a concern. In fact this proposal represents a marked improvement in the character of the neighborhood.
3. The request is substantial because it is a reduction from the mandated 100 feet.
4. There will be no adverse physical or environmental effects.
5. The alleged difficulty is self-created; however, using the balancing test, the benefit to the applicant far outweighs any detriment to the health, safety and welfare of the community.

Seconded by Dean Snyder. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

7. GARY DIMORA – 74 SUMMERTIME TRAIL

The application of Gary DiMora, owner, for an area variance at 74 Summertime Trail. The applicant is proposing to construct a storage shed in the northwest corner of the property and is requesting relief from Town Zoning Article 10, subsection 165-82.C.3 which states in part that detached accessory buildings shall be located in the rear yard. This property is a corner lot and is considered to have two front yards, two side yards and no rear yard. This property is currently zoned Medium Density Residential (MD).

Gary DiMora, owner, explained that they would like to build a shed and this is a corner lot so they have to come to the board. Mr. DiMora stated that Matco Builders will be building the shed and it will match the house and that there are several sheds throughout the neighborhood. There was discussion about how well maintained this property is.

Board Discussion: Jack Barton reported that notifications were in order, the request was returned by Monroe County as a matter of local determination, and that this is a Type II action under SEQR and no further review is required.

Public Comment:

Marco Mattioli: Stated that he approves of this application.

Public Hearing closed.

A **Motion** was made by Stephen Shelley to approve the application of Gary DiMora, owner, for an area variance at 74 Summertime Trail. The applicant is proposing to construct a storage shed in the northwest corner of the property and is requesting relief from Town Zoning Article 10, subsection 165-82.C.3 which states in part that detached accessory buildings shall be located in the rear yard. This property is a corner lot and is considered to have two front yards, two side yards and no rear yard. This property is currently zoned Medium Density Residential (MD).

In making this motion:

1. I don't believe the benefit can be achieved by other means feasible to the applicant. Due to this being a corner lot there is by definition no rear yard so it is common for the board to approve this situation.
2. There will be no undesirable change in neighborhood character or to nearby properties.
3. The request is substantial.
4. There will be no adverse physical or environmental effects.
5. The alleged difficulty is not self-created because it is a corner lot in a subdivision and the Town Law dictates the definition of a corner lot. Using the balancing test, the benefit to the applicant far outweighs any detriment to the health, safety and welfare of the community.

Seconded by Jim Zollweg. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

SPECIAL PERMIT RENEWALS

8. STEVE STRATON – 222 BURRITT ROAD

The application of Steve Straton, owner, for renewal of a Special Permit at 222 Burritt Road to continue operating a Home Business primarily focused on the sales of motorcycles and parts via the internet. Home Businesses are allowed with a Special Permit. This property is currently zoned Rural Residential (RR).

Jack Barton reported there are no complaints on file and an inspection was completed on July 3, 2013. At the time of the inspection, there were no violations pertaining to the Special Permit and there are no complaints on file.

A **Motion** was made by Stephen Shelley to approve the application of Steve Straton, owner, for renewal of the Special Permit at 222 Burritt Road to operate a Home Business primarily focused on the sales of motorcycle and parts via the internet. Home Businesses are allowed with a Special Permit. This property is currently zoned Rural Residential (RR). In making a motion to approve there will be the following conditions applied to the permit:

1. There is a limit of 2 complete motorcycles allowed on the premises being repaired for resale;
2. No running of motorcycle engines outside the confines of the barn;
3. Parts are to be internet sales only, no onsite purchases of parts are to be allowed;
4. No test drives of the motorcycles either on the applicant's property or the public right-of-way;

5. Shipping of whole motorcycles must be taken to the carrier's distribution center;
6. Hours as stated in plan;
7. No repair of motorcycles not purchased by the internet. Repairs are only for the motorcycles being prepared for resale;
8. Follow all provisions of 165-79.1 – Home Business;
9. For a period of 1 year, to be renewable by July 2014.

This permit is based on the business plan submitted to the board on January 17, 2013.

Seconded by Blake Keller. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

MINUTES OF JUNE 20, 2013

The ZBOA minutes of June 20, 2013 were reviewed a **Motion** was made by Jim Zollweg to approve the June 20, 2013 minutes as presented. Seconded by Stephen Shelley. **Motion carried (4-0)** (Ayes: Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Abstain: Blake Keller; Absent: Tim Thomas).

OTHER BUSINESS

Accessory Apartments: Gary Comardo gave an update on what happened at the Town Board meeting. The town board did vote to allow accessory structures to be a detached building but all other conditions would remain the same. There were varying opinions. The size change relative to the size of the main structure would remain the same at 35% or 500 square feet. He felt that the Town Board would be looking to the Zoning Board to make sure that this use is being used the way it should be. Jack Barton stated that inspections would happen at the beginning, all renewals and at the end of the use so that it would not be used inappropriately.

Corner Lots: There was discussion about changing the code and the definition of a corner lot so that homeowners would not have to come to the Zoning Board in the future.

ADJOURNMENT

There being no further business, a **Motion** was made by Dean Snyder, seconded by Blake Keller to adjourn the meeting at 9:26 p.m. **Motion carried (5-0)** (Ayes: Blake Keller, Veronica Robillard, Stephen Shelley, Dean Snyder, Jim Zollweg; Absent: Tim Thomas).

Respectfully submitted,

Carrie Webster, Recording Secretary