

Town of Farmington

1000 County Road 8
Farmington, New York 14425

ZONING BOARD OF APPEALS
Tuesday, March 21, 2017, 7:00 p.m.

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and the actions taken at the Town of Farmington Zoning Board of Appeals meeting.

Board Members Present: Timothy DeLucia, *Chairperson*
Cyril Opett
Nancy Purdy
James Russell
Thomas Yourch

Staff Present:
James Morse, Town of Farmington Code Enforcement Officer

Applicants Present:
Donna and Ray Sadler, 45 Coachlight Circle, Farmington, N.Y. 14425

Residents Present:
Anna and Gary Yax, 47 Coachlight Circle, Farmington, N.Y. 14425

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. After the Pledge of Allegiance was recited, Mr. DeLucia introduced the Zoning Board of Appeals members and staff, explained the emergency evacuation procedures, and noted that copies of the evening’s agenda were available at the door.

Mr. DeLucia said that the meeting would be conducted according to the Rules of Procedure approved by the Zoning Board of Appeals on February 29, 2016.

2. APPROVAL OF MINUTES OF JANUARY 23, 2017

■ A motion was made by MR. OPETT, seconded by MR. YOURCH, that the minutes of the January 23, 2017, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

Mr. DeLucia attested that the following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper (the Town’s official newspaper) on Sunday, March 12, 2017, that it was posted upon the Town of Farmington website (www.townof-farmingtonny.com), and that it was posted upon the Town Clerk’s bulletin board in the foyer of the Town Hall:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that Public Hearings will be held by and before the Zoning Board of Appeals of the Town of Farmington at 1023 Hook Road, Farmington, N.Y., on the 21st day of March, 2017 commencing at 7:00 p.m. to consider the following applications:

ZB #0301-17: DONNA SADLER, 45 COACHLIGHT CIRCLE, FARMINGTON, N.Y. 14425: Request an area variance to Article V, Chapter 165-58 to the Town of Farmington Codes. The applicant wishes to replace an accessory structure, 7-foot x 7-foot shed in the side yard (accessory structures are to be located in the rear yard). The property is located at 45 Coachlight Circle and zoned R-7.2 District.

ZB #0302-17: DONNA SADLER, 45 COACHLIGHT CIRCLE, FARMINGTON, N.Y. 14425: Request an area variance to Article V, Chapter 165-58 to the Town of Farmington Codes. The applicant wishes to locate an accessory structure, 8-foot x 12-foot shed in the side yard (accessory structures are to be located in the rear yard). The property is located at 45 Coachlight Circle and zoned R-7.2 District.

SAID BOARD OF APPEALS WILL MEET at said time and place to hear all persons in support of such matters or any objections.

Tim DeLucia, Chairperson
Zoning Board of Appeals
Town of Farmington

4. CONTINUED BUSINESS

None

5. PUBLIC HEARINGS

ZB #0301-17	Donna Sadler 45 Coachlight Circle Farmington, N.Y. 14425	Area Variance
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The applicant is requesting an Area Variance to Chapter 165-58 to the Town of Farmington Codes. The applicant wishes to replace an accessory structure, 7-foot x 7-foot shed in the side yard (accessory structures are to be located in the rear yard). The property is located at 45 Coachlight Circle and zoned R-7.2 District.

Mr. DeLucia declared the Public Hearing open.

Ms. Sadler presented her application.

She explained that she has a pie-shaped lot with most of the land along the side of her home and with little land in what would be considered as the traditional backyard. She said that a 7-foot x 7-foot storage shed that was in the side yard had been blown over during a recent storm. She said that she would like to replace the shed.

Mr. Yax, of 47 Coachlight Circle—the Sadler's next-door neighbor— said that the shed had been in place for a very long time. He said that he had no objections to Ms. Sadler's area variance application, that the replacement shed would not impede the use of his property and that it would not affect the appearance of his property or the neighborhood.

Ms. Yax also addressed the board and said that she had no objections to the application.

There were no comments or questions on this application from the members of the board. There were no further comments or questions from the citizens in attendance.

Mr. DeLucia then closed the Public Hearing on this application.

ZB #0302-17

**Donna Sadler
45 Coachlight Circle
Farmington, N.Y. 14425**

Area Variance

The applicant is requesting an Area Variance to Chapter 165-58 to the Town of Farmington Codes. The applicant wishes to locate an accessory structure, 8-foot x 12-foot shed in the side yard (accessory structures are to be located in the rear yard). The property is located at 45 Coachlight Circle and zoned R-7.2 District.

Mr. DeLucia declared the Public Hearing open.

Ms. Sadler presented her application.

She explained that she would like to place an 8-foot x 12-foot storage shed along the side of her home in the driveway. She said that this shed would back up to the 7-foot x 7-foot replacement shed as requested in the previous Area Variance application. She said that there is no room for the additional shed in the traditional backyard of the lot. She said that the shed would be used for storage of a riding lawnmower and other items.

Mr. Yax said that he had no objections to this application and that the shed would not interfere with the use of his property and that it would not take any value away from his property. He said that he did not know how the subdivision had been approved in 1972 with the design of the lots with such small backyards and with the Town Code restrictions on structures in the side yards. He said that the lots should have been designed in such a way as to have an adequate backyard for the homeowners' enjoyment and use of their properties. He said that homeowners are denied the use of portions of their property by the way in which the lots were designed.

Mr. Yax said that the shed would not interfere with traffic or with the appearance of the Farmbrook development. He said that he would like to go on record in support of the Sadler's application.

Ms. Yax also spoke in support of the application. She noted that the Sadlers have virtually no backyard and that a two-car garage would take up more space than the shed.

Mr. Morse explained that some of the lots within the Farmbrook subdivision were configured in such a way to avoid having driveways enter the intersections and to avoid the main curvature of the roads. He said that this created lots with very little land in the backyards. He said that the Town has had similar Area Variance applications in the past, that the Sadler property is very well kept, and that he has no objections to either of the applications.

There were no comments or questions on this application from the members of the board. There were no further comments or questions from the citizens in attendance.

Mr. DeLucia then closed the Public Hearing on this application.

6. BOARD BUSINESS—DELIBERATIONS AND DECISIONS

ZB #0301-17 Donna Sadler Area Variance Findings and Decision

■ A motion was made MR. OPETT, seconded by MS. PURDY, that the reading of the SEQR resolution on this application be waived.

Motion carried by voice vote. The reading of the SEQR resolution on this application was waived.

■ A motion was made by MR. RUSSELL, seconded by MR. YOURCH, that the following resolution be approved:

FARMINGTON ZONING BOARD OF APPEALS RESOLUTION SEQR RESOLUTION—TYPE II ACTION

ZB #0301-17

APPLICANT: Donna Sadler, 45 Coachlight Circle, Farmington, N.Y. 14425

ACTION: Request an area variance to Article V, Chapter 165, Article V, Section 58 to the Town of Farmington Codes. The applicant wishes to replace an accessory structure, a 7-foot x 7-foot shed in the side yard portion of a lot. The Town Code requires accessory structures to be located in the rear yard portion of a lot. The property is located at 45 Coachlight Circle and zoned R-7.2 District.

WHEREAS, the Town of Farmington Zoning Board of Appeals (hereinafter referred to as the Board) has reviewed the criteria, under Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

WHEREAS, the Action involves the granting of a single area variance for an individual setback for locating an Accessory Residential Structure within the Side Yard portion of an existing residential Lot.

NOW, THEREFORE, BE IT RESOLVED THAT the Board finds that the Action is classified a Type II Action under Section 617.5 (c) (12) of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT Type II Actions are not subject to further review under Part 617.

NOW, THEREFORE, BE IT RESOLVED THAT the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the Town file upon this Action.

Timothy DeLucia	Aye
Cyril Opett	Aye
Nancy Purdy	Aye
James Russell	Aye
Thomas Yourch	Aye

Motion carried.

■ A motion was made by MR. OPETT, seconded by MS. PURDY, that the reading of the Area Variance Findings and Decision resolution on this application be waived.

Motion carried by voice vote. The reading of the Area Variance Findings and Decision resolution on this application was waived.

Mr. DeLucia reviewed the board’s determination and conditions of approval with the applicant. Ms. Sadler said that she agreed with the conditions of approval.

■ A motion was made by MR. RUSSELL, seconded by YOURCH, that the following resolution be approved:

**TOWN OF FARMINGTON
ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS AND DECISION**

APPLICANT: Donna Sadler
45 Coachlight Circle
Farmington, NY 14425

File: ZB #0301-17
Zoning District: R-7.2 Planned Subdivision
Published Legal Notice on: 3/12/2017
County Planning Action on: N.A.
County Referral #: N.A.
Public Hearing held on: 3/21/2017

Property Location: 45 Coachlight Circle, Farmington, N.Y. 14425

Applicable Section of Town Code: Chapter 165, Article IV, Section 58.A.

Requirement for Which Variance is Requested: The applicant wishes to replace an accessory structure, a 7-foot by 7-foot, storage building within the Side Yard portion of the Lot located at 45 Coachlight Circle. The Town Code requires Accessory Structures to be located within the rear yard portion of a Lot in the R-7.2.

State Environmental Quality Review Determination: The granting of an Area Variance to enable an accessory residential structure to be placed within the Side Yard portion of an approved Building Lot is classified as a Type II Action under Part 617.5 (c) (10) of the State Environmental Quality Review (SEQR) Regulations. Type II Actions have been determined, under the SEQR Regulations, not to have a substantial adverse impact upon the environment or are otherwise precluded from further environmental review under Environmental Conservation Law, Article 8.

County Planning Referral Recommendation: A referral to the Ontario County Planning Board, for this application, is not required under the provisions of Section 239-1 of the New York State General Municipal Law.

FACTORS CONSIDERED AND BOARD FINDINGS

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance.
 Yes No

Reasons: The Board finds that there are other Lots located within the Farmbrook neighborhood that have Accessory Structures. The Board further finds that the character of this neighborhood is single-family residential with most Lots having approximately seven thousand two hundred square feet in land area. The Board further finds that the subject Lot is located next to a sweeping curve of Coachlight Circle; and that the principal

structure has been located upon the property in such a manner as to leave a small Rear Yard. The Board further finds that the adjacent Lot (Lot 19) to the south is developed in a similar manner as the subject Lot, with the greatest portion of open area along the Lot Frontage of the sweeping curve of Coachlight Circle. The Board further finds that the propose accessory structure would be located on the Lot such that the Accessory Structure would be screened from motorists view along the sweeping curve of Coachlight Circle. The Board further finds that the proposed Accessory Structure will contain a total of 49 square feet in area. The Board further finds that there is no maximum Lot Coverage for a parcel of land located within the R-7.2 Planned Subdivision District.

The Board further finds that if the proposed Accessory Structure is properly buffered from the adjacent Lots to the west and south, with landscaping, that it will not be a detriment to the nearby properties. The Board, based upon these findings, believes that there will not be an undesirable change produced in the character of the neighborhood by the granting of the requested area variance. The Board further finds that in accordance with New York State Town Law and the provisions of Chapter 165, of the Farmington Town Code, the Area Variance being sought is the minimum relief necessary where an applicant has demonstrated the existence of practical difficulty in complying with the requirements of the zoning district.

The Board, based upon these findings, determines that there will not likely be an undesirable change in the character of the neighborhood that would result from the granting of the requested Area Variance to allow the proposed Accessory Structure.

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the requested variance. ___ Yes X No

Reasons: The Board finds that the Applicant has identified that there is need for the proposed Accessory Structure to keep personal items protected and out of sight. The Applicant is requesting the area variance to allow the replacement of an existing Accessory Structure that has been destroyed by recent windy weather. The Board further finds that the proposed location for the Accessory Structure is the only feasible location upon the subject Lot. The Board based upon these findings determines that there are no feasible alternatives available and that granting the requested Area Variance would be granting the minimum relief necessary to enable the proposed Accessory Structure to be placed upon the Lot.

3. Whether the requested variance is substantial. X Yes ___ No

Reason: The Board finds that the Area Variance being requested is a variance involving one hundred percent (100%) increase in the minimum Side Setback required for an Accessory Structure. The Board has consistently found that a variance request that is fifty percent (50%) or greater of what is otherwise required by the Code is a substantial variance request.

4. Whether the proposed variance will have an adverse effect or impact upon the physical environmental conditions in the neighborhood or district. Yes No

Reason: The Board has given consideration to the criteria for determining significance, as set forth in Section 617.7 of the SEQR Regulations, the information contained on Part 1 of the Short Environmental Assessment Form and has determined, under separate resolution, that the proposed Action is a Type II Action. The Board, in making this Determination, in accordance with the provisions of the New York State Environmental Conservation Law, Article 8, has determined that granting the requested Area Variance will not have an adverse effect or impact upon the physical environmental conditions in the neighborhood or district.

5. Whether the alleged difficulty was self-created which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the Area Variance. Yes No

Reason: The Board finds that the Applicant has had an Accessory Structure of the same size located upon the Lot for several years without having a Building Permit. The Board further finds that due to wind damage said Accessory Structure was destroyed. The Board further finds that the Applicant is seeking a Building Permit to allow the placement of a new Accessory Structure in the same location on the property. The Board based upon these findings determines that the need for the proposed area variance is a self-created hardship. The Board further finds, based upon its review of the submitted information for this application, that there is a known practical difficulty associated with placing the proposed Accessory Structure in the Rear Yard portion of the Lot.

DETERMINATION OF THE ZONING BOARD OF APPEALS BASED UPON THE ABOVE FACTORS

The Zoning Board of Appeals, after reviewing the above five proofs, finds:

That the benefit to the applicant DOES outweigh any potential detriment to the health, safety and welfare of the Neighborhood or Community and, therefore, the requested Area Variance to place a single-story Accessory Structure Addition having a total area of 49 square feet on the Lot at 45 Coachlight Circle is GRANTED with the following conditions:

1. In the event there is to be any lighting of the Accessory Structure Addition, it shall comply with the Town's Lighting Standards contained in Chapter 165 of the Town Code. Such lighting shall not cause glare or light trespass onto an adjacent property. Any wiring for such an Accessory Structure shall be underground.

2. The Applicant is to install landscaping, on or before June 1, 2017, along the southwest side of the proposed Accessory Structure. Said landscaping is to be accepted by the Town Code Enforcement Officer prior to the issuance of a Certificate of Compliance.

3. The color for the exterior of the proposed Accessory Structure shall match, to the closest extent possible, the exterior color of the principal structure.

4. There shall be no outdoor storage of any personal items within the Side Yard Setback portion of the Lot.

NOW, THEREFORE, BE IT RESOLVED that the Board in making this Determination has satisfied the procedural requirements under New York State Town Law and the Town of Farmington Town Code.

BE IT FINALLY RESOLVED that the Board directs this Resolution be placed in the public file upon this Action and that a copy hereof be provided to the applicant.

Timothy DeLucia	Aye
Cyril Opett	Aye
Nancy Purdy	Aye
James Russell	Aye
Thomas Yourch	Aye

Motion carried.

ZB #0302-17 Donna Sadler Area Variance Findings and Decision

■ A motion was made MR. YOURCH, seconded by MR. OPETT, that the reading of the SEQR resolution on this application be waived.

Motion carried by voice vote. The reading of the SEQR resolution on this application was waived.

■ A motion was made by MR. RUSSELL, seconded by MR. YOURCH, that the following resolution be approved:

**FARMINGTON ZONING BOARD OF APPEALS RESOLUTION
SEQR RESOLUTION—TYPE II ACTION**

ZB #0302-17

APPLICANT: Donna Sadler, 45 Coachlight Circle, Farmington, N.Y. 14425

ACTION: Request an area variance to Chapter 165, Article V, Section 58 to the Town of Farmington Codes. The applicant wishes to locate an accessory structure, an 8-foot x 12.5-foot shed in the side yard portion of a lot. The Town Code requires accessory structures to be located in the rear yard portion of a lot.

WHEREAS, the Town of Farmington Zoning Board of Appeals (hereinafter referred to as the Board) has reviewed the criteria, under Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

WHEREAS, the Action involves the granting of a single area variance for an individual setback for locating an Accessory Residential Structure within the Side Yard portion of an existing residential Lot.

NOW, THEREFORE, BE IT RESOLVED THAT the Board finds that the Action is classified a Type II Action under Section 617.5 (c) (12) of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT Type II Actions are not subject to further review under Part 617.

NOW, THEREFORE, BE IT RESOLVED THAT the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the Town file upon this Action.

Timothy DeLucia	Aye
Cyril Opett	Aye
Nancy Purdy	Aye
James Russell	Aye
Thomas Yourch	Aye

Motion carried.

■ A motion was made by MR. RUSSELL, seconded by MS. PURDY, that the reading of the Area Variance Findings and Decision resolution on this application be waived.

Motion carried by voice vote. The reading of the Area Variance Findings and Decision resolution on this application was waived.

Mr. DeLucia reviewed the board’s determination and conditions of approval with the applicant. Ms. Sadler said that she agreed with the conditions of approval.

■ A motion was made by MR. OPETT, seconded by MS. PURDY, that the following resolution be approved:

**TOWN OF FARMINGTON
ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS AND DECISION**

APPLICANT: Donna Sadler
45 Coachlight Circle
Farmington, NY 14425

File: ZB #0302-17
Zoning District: R-7.2 Planned Subdivision
Published Legal Notice on: 3/12/2017

County Planning Action on: N.A.
County Referral #: N.A.
Public Hearing held on: 3/21/2017

Property Location: 45 Coachlight Circle, Farmington, N.Y. 14425

Applicable Section of Town Code: Chapter 165, Article IV, Section 58.A.

Requirement for which Variance is requested: The applicant wishes to place an accessory structure, an 8-foot by **12.5-foot** storage building within the Side Yard portion of the Lot located at 45 Coachlight Circle. The Town Code requires Accessory Structures to be located within the rear yard portion of a Lot in the R-7.2.

State Environmental Quality Review Determination: The granting of an Area Variance to enable an accessory residential structure to be placed within the Side Yard portion of an approved Building Lot is classified as a Type II Action under Part 617.5 (c) (10) of the State Environmental Quality Review (SEQR) Regulations. Type II Actions have been determined, under the SEQR Regulations, not to have a substantial adverse impact upon the environment or are otherwise precluded from further environmental review under Environmental Conservation Law, Article 8.

County Planning Referral Recommendation: A referral to the Ontario County Planning Board, for this application, is not required under the provisions of Section 239-1 of the New York State General Municipal Law.

FACTORS CONSIDERED AND BOARD FINDINGS

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance.

Yes No

Reasons: The Board finds that there are other Lots located within the Farmbrook neighborhood that have Accessory Structures. The Board further finds that the character of this neighborhood is single-family residential with most Lots having approximately seven thousand two hundred square feet in land area. The Board further finds that the subject Lot is located next to a sweeping curve of Coachlight Circle; and that the principal structure has been located upon the property in such a manner as to leave a small Rear Yard. The Board further finds that the adjacent Lot (Lot 19) to the south is developed in a similar manner as the subject Lot, with the greatest portion of open area along the Lot Frontage of the sweeping curve of Coachlight Circle. The Board further finds that the propose accessory structure would be located on the Lot such that the Accessory Structure would be screened from motorists view along the sweeping curve of Coachlight Circle. The Board further finds that the proposed Accessory Structure will contain a total of 96 square feet in area. The Board further finds that there is no maximum Lot Coverage for a parcel of land located within the R-7.2 Planned Subdivision District.

The Board further finds that if the proposed Accessory Structure is properly buffered from the adjacent Lots to the west and south, with landscaping, that it will not be a detriment to the nearby properties. The Board, based upon these findings, believes that there will not be an undesirable change produced in the character of the neighborhood by the granting of the requested area variance. The Board further finds that in accordance with New York State Town Law and the provisions of Chapter 165, of the Farmington Town Code, the Area Variance being sought is the minimum relief necessary where an applicant has demonstrated the existence of practical difficulty in complying with the requirements of the zoning district.

The Board, based upon these findings, determines that there will not likely be an undesirable change in the character of the neighborhood that would result from the granting of the requested Area Variance to allow the proposed Accessory Structure.

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the requested variance. Yes No

Reasons: The Board finds that the Applicant has identified that there is need for the proposed Accessory Structure to keep personal items protected and out of sight. The Applicant is requesting the area variance to allow the replacement of an existing Accessory Structure that has been destroyed by recent windy weather. The Board further finds that the proposed location for the Accessory Structure is the only feasible location upon the subject Lot. The Board based upon these findings determines that there are no feasible alternatives available and that granting the requested Area Variance would be granting the minimum relief necessary to enable the proposed Accessory Structure to be placed upon the Lot.

3. Whether the requested variance is substantial. Yes No

Reason: The Board finds that the Area Variance being requested is a variance involving one hundred percent (100%) increase in the minimum Side Setback required for an Accessory Structure. The Board has consistently found that a variance request that is fifty percent (50%) or greater of what is otherwise required by the Code is a substantial variance request.

4. Whether the proposed variance will have an adverse effect or impact upon the physical environmental conditions in the neighborhood or district. Yes No

Reason: The Board has given consideration to the criteria for determining significance, as set forth in Section 617.7 of the SEQ Regulations, the information contained on Part 1 of the Short Environmental Assessment Form and has determined, under separate resolution, that the proposed Action is a Type II Action. The Board, in making this Determination, in accordance with the provisions of the New York State Environmental Conservation Law, Article 8, has determined that granting the requested Area Variance will not have an adverse effect or impact upon the physical environmental conditions in the neighborhood or district.

5. Whether the alleged difficulty was self-created which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the Area Variance. Yes _____ No

Reason: The Board finds that the Applicant is requesting this area variance to permit a second Accessory Structure that will enable the storage of personal items. The Board further finds that the Applicant is seeking a Building Permit to allow the placement of a new (second) Accessory Structure within the Side Yard portion of the property. The Board based upon these findings determines that the need for the proposed area variance is a self-created hardship. The Board further finds, based upon its' review of the submitted information for this application, that there is a known practical difficulty associated with placing the proposed Accessory Structure in the Rear Yard portion of the Lot.

DETERMINATION OF THE ZONING BOARD OF APPEALS BASED UPON THE ABOVE FACTORS

The Zoning Board of Appeals, after reviewing the above five proofs, finds:

X That the benefit to the applicant DOES outweigh any potential detriment to the health, safety and welfare of the Neighborhood or Community and, therefore, the requested Area Variance to place a single-story Accessory Structure Addition having a total area of **100 square feet** on the Lot at 45 Coachlight Circle is GRANTED with the following conditions:

1. In the event there is to be any lighting of the Accessory Structure Addition, it shall comply with the Town's Lighting Standards contained in Chapter 165 of the Town Code. Such lighting shall not cause glare or light trespass onto an adjacent property. Any wiring for such an Accessory Structure shall be underground.
2. The Applicant is to install landscaping, on or before June 1, 2017, along the southwest side of the proposed Accessory Structure. Said landscaping is to be accepted by the Town Code Enforcement Officer prior to the issuance of a Certificate of Compliance.
3. The color for the exterior of the proposed Accessory Structure shall match, to the closest extent possible, the exterior color of the principal structure.
4. There shall be no outdoor storage of any personal items within the Side Yard Setback portion of the Lot.

NOW, THEREFORE, BE IT RESOLVED that the Board in making this Determination has satisfied the procedural requirements under New York State Town Law and the Town of Farmington Town Code.

BE IT FINALLY RESOLVED that the Board directs this Resolution be placed in the public file upon this Action and that a copy hereof be provided to the applicant.

Timothy DeLucia	Aye
Cyril Opett	Aye
Nancy Purdy	Aye
James Russell	Aye
Thomas Yourch	Aye

Motion carried.

7. PUBLIC COMMENTS—Open Forum

No requests.

8. OTHER BOARD MATTERS

None.

9. CODE ENFORCEMENT OFFICER UPDATE

Mr. Morse reported that Burger King Restaurant has submitted another application for a lighted sign that already has been installed in front of the restaurant at 1298 State Route 332. The applicant's first application for an Area Variance for the use of this sign was denied by the Zoning Board of Appeals (ZBA) on December 19, 2016. Mr. Morse said that the applicant's current intention is to only use the lighted portion of the sign and not to use it with flashing or moving images. He said that the application has been referred to the Ontario County Planning Board and that this may be placed upon the ZBA agenda for April 18, 2017.

Mr. Morse also reported that an application from the Cobblestone Arts Center has been received for a Lamar Advertising Company lighted imaging-changing sign for the property at 1622 State Route 332. (Lamar Advertising is an outdoor advertising company which operates billboards, logo signs and outdoor displays throughout the United States.) He said that this application also has been referred to the Ontario County Planning Board and may be placed upon the ZBA agenda in April. He noted that the image on the sign changes is proposed to change on a regular time schedule and that is a billboard-type sign. He said that four Area Variances would be requested.

10. NEXT MEETING DATE

The next regular meeting of the Zoning Board of Appeals will be held at 1023 Hook Road, Farmington, N.Y. 14425, on Tuesday, April 18, 2017, at 7:00 p.m. (if needed).

11. ADJOURNMENT

A motion was made by MR. YOURCH, seconded by MS. PURDY, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 7:40 p.m.

Following the meeting, a member of the Farmington Town Court staff secured the building.

Respectfully submitted,

John M. Robortella L.S.
Clerk of the Zoning Board of Appeals