

**TOWN OF FARMINGTON
ZONING BOARD OF APPEALS MEETING MINUTES**

APPROVED MINUTES

The following minutes are a written summary of the main points that were made and the actions taken at the Town of Farmington Zoning Board of Appeals meeting held on February 23, 2009.

Zoning Board of Appeals Members

Edward Hemminger -- Chairman
Leslie O'Malley
Raymond Ward
Chris Dunfey
Gary Scribner

Also Present

Floyd Kofahl		-Code Enforcement Officer
Ron Brand	-Excused	-Director of Development
Bob Topping	-Engineer	-7677 Route 256, Dansville, NY 14437

Open Meeting

Edward Hemminger called the meeting to order at 7:00 pm. He explained the emergency evacuation procedures and rules of procedures of the meeting and stated that copies of the evening's agenda and legal notices were available on the table by the door. He then asked those present to sign in if they had not already done so.

Approval of Minutes

Leslie O'Malley made a motion to accept the January 26, 2009 meeting minutes and the motion was seconded by Gary Scribner. A voice vote was taken and the motion was passed with five (5) Ayes.

BOARD BUSINESS:

#ZB 0201-09

Mr. & Mrs. Kenneth Friedman

Area Variance

Ed Hemminger read the legal notice for #ZB 0201-09 that was published in the Daily Messenger on February 17, 2009 requesting an area variance.

Bob Topping, Engineer, addressed the board explaining that the barns on the property have existed there for many years and do not meet the 60' front setback required by the code. The house to be built on the property would be behind the barns and the barns would be used to keep horses. Bob stated that the cost of improvement for building the house would be approximately \$160,000.

Floyd Kofahl stated that the code requires Accessory Structures, as the barns are, to be behind the Residential Structure and therefore a variance is needed to approve the lot for the Residential Structure. Floyd also noted that they will still have to receive approval from the Town Board for a building lot.

Chairman Hemminger announced that this is a Public Hearing and asked if there is anyone present who wishes to speak for or against this application. No one responded. A motion was made by Leslie O'Malley and seconded by Raymond Ward to close the Public Hearing at the 02/23/2009 meeting. There were five (5) Ayes. The Public Hearing was closed at 7:09 pm.

Leslie O'Malley made a motion to waive the reading of the Type II SEQR Resolution and Gary Scribner seconded the motion. All present voted Aye.

Chris Dunfey made a motion to accept the Type II SEQR Resolution. Gary Scribner seconded the motion. All present voted Aye.

AREA VARIANCE FINDINGS & DECISION

After discussion of the factors to be considered the Board felt there would not be an undesirable change of the neighborhood or detriment to nearby properties, that the relief sought could not be achieved by a feasible alternative, the requested variance would not have an adverse impact in the neighborhood, that the alleged difficulty was not self-created.

After discussing the variance, the Board approved the Area Variance Findings and Decision. Edward Hemminger made a motion to approve the application and Leslie O'Malley seconded the motion. All present voted Aye.

Public Comments:

There were no Public Comments.

Other Board Matters:

- a. Rules and Procedures to be reviewed and voted on for approval at the March meeting.
- b. Training classes discussed.

Director of Development Update:

None.

Code Enforcement Officer Update:

Floyd Kofahl stated that the correction of a 2003 Resolution which had an incorrect code section (G instead of H) is still being worked on.

Next Meeting:

The next Zoning Board of Appeals meeting will be held on March 23, 2009.

Raymond Ward made a motion to adjourn the meeting at 7:40 pm. Gary Scribner seconded the motion. The motion was passed with a voice vote of five (5) ayes.

Minutes were respectfully submitted by Patricia Eddy, Clerk of the Board.