

ZONING BOARD OF APPEALS MEETING
December 21, 2023
6:00 PM

The meeting was called to order by Chairperson Kathy Taylor at 6:00 PM. Roll call by Clerk, Cindy Schiminske, found the following Board Members present:

Kathy Taylor, Chairperson
Ernie Rivera
John Yurco
Bob Faynor

Absent: Craig Coleman

Also in attendance: Bill Gabak, Jr. Zoning Officer
Lori Bryant
Peter Briggs
Debbie Feeley

Bob Faynor made a motion to approve the minutes of November 16, 2023, seconded by Ernie Rivera. All in favor.

The purpose of this meeting was to hear the following requests:

1. Lori Bryant-Havener, 5923 West Lake Road, Tax Map #130.00-1-9.113 submitted a Special Use Permit Application to operate a hair salon in one bay of the existing three bay garage. It would be a single operation salon. There is a two-way driveway that is blacktopped. She would be doing hair 2 ½ days per week: Tuesday & Thursday full days and Friday until 2 or 3. It would be just hair, nothing else, no nails. There would be 2 cars at the most parked there. It is by appointment only.

The Board did mention that she should check with the Building Codes Officer on whether she would need a back door or a window that could serve as a fire door in case of fire. They would need two exits not just one, but the Building Codes Officer would be the one to tell her that.

The Board had no issues with the application.

Bob Faynor made a motion to approve the Special Use Permit application with approval from the Bldg Codes Officer, seconded by John Yurco.

Roll call vote was taken:

Ernie Rivera	YES
Bob Faynor	YES
John Yurco	YES
Chairperson Taylor	YES

The applicant was advised that this Board reviews the SUP application and submits any comments or recommendations to the Town Board. The Public Hearing for this SUP will be held on January 8th, at which time the Town Board will either approve or deny the application.

2. Peter Briggs submitted a Subdivision Application for a minor subdivision of 1.8 acres from parcel #123.00-1-18.21 located on Sand Beach Road. He stated that he had already broken up the property into three lots in the past and this would be the last one. It would be a retirement home. Applicant is separating the parcel that contains a house and barn and on the remaining acreage is where he would place a new building. He's not sure exactly where he would place the building, either up in back or roadside. Bill Gabak had no problem with this subdivision, as it would be a compliant lot.

The Board also had no issues with this subdivision application.

A motion was made by Bob Faynor and seconded by Ernie Rivera to approve the subdivision with Letter of Intent submitted by Peter Briggs, Sand Beach Road, for a minor subdivision of 1.8 acres from parcel 123.00-1-18.21, as shown as Parcel 3 on a Map of Survey prepared by Dan Anderson, dated November 18, 2023.

Approval of this application is subject to the following conditions:

All easements and right of ways that may be located on this property will remain intact unless otherwise noted. All zoning laws, soil and water conservation laws, and any other laws need to be observed during the project.

This approval is contingent upon the proper filing of this subdivision with the Cayuga County Clerk within 30 days of this approval.

Roll call vote was taken:

Ernie Rivera	YES
Bob Faynor	YES
John Yurco	YES
Chairperson Taylor	YES
APPROVED	

Bill Gabak asked applicant what he was going to build on this property – a home or a barn structure. Mr. Briggs indicated that he would be building a house first. Mr. Gabak stated that back in 2017 the Town passed a law that the corresponding R2 district shall be amended to include a Special Use Permit to certain accessory structures like garages and such on lots at least 5 acres in size without a primary residence, subject to the provisions of Article 8.

He advised applicant that he can build an accessory structure but to keep in mind that he has to have a separate residential structure because the building codes are completely different. He advised applicant to make sure that he builds the barn far enough in back because the house has to be in front. From the house to the road, there can be no structures. In the R2 district if you have more than 5 acres and it's a compliant lot, you can build an accessory structure, but you have to get a Special Use Permit for that. Mr. Gabak reiterated that applicant would have to build a separate housing structure because there are completely different building codes for a barn or garage and a home. If applicant wants to build a barn, he can do it, but he has to apply for a Special Use Permit. The Board stated that the barn should go behind the house and applicant should be mindful of the setbacks.

Chairperson Taylor made a motion to adjourn the meeting, seconded by Bob Faynor.

Respectfully submitted,

Cindy Schiminske, ZBA Clerk