

MINUTES  
TOWN OF GORHAM ZONING BOARD OF APPEALS  
July 20, 2017

PRESENT: Chairman Hoover            Mr. Johnson  
          Mr. Bentley                    Mrs. Oliver  
          Mr. Amato

EXCUSED: Mr. Airth                    ABSENT: Ms. Hoover-Alternate

Chairman Hoover called the meeting to order at 7:30 PM and explained the process of the Zoning Board of Appeals. Mr. Johnson made a motion to approve the minutes of the June 15, 2017, meeting. Mr. Bentley seconded the motion, which carried unanimously.

PUBLIC HEARING:

Application #17-167, Roger & Jane Dunham, owners of property at 3726 Thorndale Bch, requests an area variance to build a 14 x 24 garage. Proposed garage does not meet the north and south side yard setbacks and exceeds lot coverage.

The application did go to Ontario County Planning Board. The County Planning Board made the following comment and findings: The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Findings:** 1. Protection of water features is a stated goal of the CPB. 2. The Finger Lakes are an indispensable part of the quality of life in Ontario County. 3. Increases in impervious surface lead to increased runoff and pollution. 4. Runoff from lakefront development is more likely to impact water quality. 5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot

coverage that allow reasonable use of lakefront properties. 6. Protection of community character, as it relates to tourism, is a goal of the CPB. 7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger lakes and overall community character. 8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation: Denial**

Chairman Hoover opened the public hearing and the notice as it appeared in the official newspaper of the Town was read.

Roger & Jane Dunham were present. Nothing has changed on the plan since last month.

Chairman Hoover stated that this application was in front of them last month. They were seeking two side yard variances and it was discovered that they also need a lot coverage variance that was not put on the original application.

Chairman Hoover asked the board and the public if they had any questions or concerns. Hearing none, the public hearing was closed.

After discussing and reviewing the questions on the back of the application the following motion was made [attached hereto]: Mr. Johnson made a motion to grant a north side yard variance of 9.5' for a setback of 5.5 feet and a south side yard variance of 9.5' for a setback of 5.5 feet and a lot coverage variance of 11% for 36% lot coverage. Mr. Amato seconded the motion, which carried unanimously.

Application #17-084, Tim & Vicki Money, owners of property at 5164 County Road 11, requests an area variance to build a single family home. Proposed home does not meet the north side yard setback and the front yard setback.

The application did go to Ontario County Planning Board. The County Planning Board made the following comment: The referring board is strongly encouraged to refer the proposed project to the Canandaigua Lake Watershed Manager (Kevin Olvany) and receive his comments prior to taking action.

Chairman Hoover opened the public hearing and the notice as it appeared in the official newspaper of the Town was read.

Tim & Vicki Money were present and presented their application to the board.

Mr. Money stated that they would like to build a single family home but it would be impossible without a variance because of the sewer easement on the property.

Chairman Hoover asked what the size of the footprint was going to be.

Mr. Money stated that on the plan the surveyor has it at 2398 square feet.

Chairman Hoover stated that the 2398 is with the house, porch & deck. "How big is the house itself?"

Mr. Money stated that the footprint on the plan is the worst case scenario. The house is actually going to be smaller.

Mr. Amato questioned if the house was going to be a one story.

Mr. Money stated that they would like a one story with a walkout basement for a basement garage.

Chairman Hoover asked Mr. Money if he has given any thought to narrowing the house done some.

Mr. Money stated that they could possibly narrow the house down. They have not been to an architect yet. They wanted to get the variance first.

Mr. Amato questioned if the elevations of the proposed home was going to change from the existing cottage.

Mr. Money stated that the elevations would be about the same.

Chairman Hoover asked the applicants if they could possibly shrink the home down to be 12 feet off of the north property line to the overhangs.

Chairman Hoover asked if there were any more comments from the public.

Two letters from adjoining neighbors were received in the Zoning Office stating their support in the project. These letters will be kept in the file.

Chairman Hoover asked if there were any more comments from the public. Hearing none, the public hearing was closed.

After discussing and reviewing the questions on the back of the application the following motion was made [attached hereto]: Mr. Bentley made a motion to grant a front yard variance of 27.2' for a setback of 22.8' a north side yard variance of 3' for a setback of 12' for a single story home with a walkout basement. Mrs. Oliver seconded the motion, which carried unanimously.

Mr. Bentley made a motion to adjourn the meeting at 8:PM.  
Chairman Hoover seconded the motion, which carried unanimously.

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Jerry Hoover, Chairman

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Sue Yarger, Secretary