

Organization River Area Council of Governments

Board Cooperative ZBA

Date and Time Wednesday, January 18 2017 at 7:00 PM

Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY

Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900

Minutes

RACOG
Cooperative Zoning Board of Appeals

TO: Members of the Co-op ZBA, T/Champion Board, T/Wilna Board, V/Carthage Board, Town/Village Clerks, Zoning Enforcement Officers, Timothy Farley, T/Champion Attorney, Mark Gebo, T/Wilna & V/Carthage Attorney and Planning Board Chairmen

FROM: Christina Vargulick, Cooperative ZBA Secretary

DATE: January 19, 2017

RE: Minutes from January 18, 2017

PRESENT: D. Austin, R. Blank, B. Fetterly, M. Gump and T. Kight

ABSENT: R. Blank

Chairperson Kight called the meeting to order at 7:00pm. The roll was called.

Motion by D. Austin, seconded by B. Fetterly to dispense with the reading of the January 4, 2017 minutes and to approve the minutes as presented. Ayes-4, Nays-0. Motion carried.

Proof of notice having been furnished the public hearing on an area variance application for parcel no. 76.06-2-76 located at 32620 NYS Route 26 was called to order at 7:01. The T/Champion Zoning Law Section 610; Parking requires one parking space for each 50 square feet of gross leasable area. The square feet of the proposed restaurant are 2046sq.ft. requiring 41 parking spaces. The site has 31 available spaces. The T/Champion Planning Board submitted a letter recommending approval of the variance. Keith Kilgore, 25477 Huntley Lane, spoke in favor of the proposed area variance on behalf of himself and his family. Stefano Magro stated that he believes that the proposed project will have a positive impact on the Great Bend area. No one spoke in opposition of the proposed action. All persons desiring to be heard, having been heard, the public hearing was closed at 7:12pm.

The following resolution was offered by D. Austin, who moved its approval, and seconded by B. Fetterly, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Stefano Magro for parcel number 76.06-2-76 for a variance of the T/Champion Zoning Law, Section 610-Parking, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concludes that the variance would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concludes that the benefit sought by the applicant could not be achieved by some method, feasible for the applicant to pursue, other than a variance.
- C. The Board concludes that the variance is not substantial.
- D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.
- E. The Board concludes that the alleged difficulty is self created.

NOW, THEREFORE BE IT RESOLVED that the application from Stefano Magro, parcel number 76.06-2-76, for a variance of Section 610-Parking of the T/Champion Zoning Law is hereby granted with the following conditions:

1. That a minimum number of thirty one (31) parking spaces shall be maintained.

The foregoing resolution was duly put to a vote as follows:

D. Austin.....aye
R. Blank.....absent
B. Fetterly.....aye
M. Gump.....aye
T. Kight.....aye

Resolution adopted.

Motion by M. Gump, seconded by B. Fetterly to adjourn. The meeting adjourned at 7:18pm.

Christina Vargulick
RACOG Cooperative ZBA, Secretary