

**MINUTES OF THE ZONING BOARD OF APPEALS PUBLIC
HEARING AND MEETING HELD DECEMBER 06, 2006**

Present: Donald Mordue, Chairman
Michael Haley
Rick Beaton

Absent: William Henry, Anthony Muscolino

Others: Steve DeHond, Michael Ratey, Richard Beyea, Cindy Allen, Sharon Karge, Ontario ARC, Mary D'Amico, Fingerlakes Visiting Nurse Service, Nancy J. Watson, Sara Donaldson, John Doty, Sandra Hill, Cheyanne Hill, Cheryl Hill, Sylvia King, Linnea Harding.

Recording: Rita J. Gurewitch, Deputy Clerk

The public hearing was called to order at 7:31 PM by Chairman Mordue. He directed the Deputy Clerk to read the public hearing notice and stated that the purpose of the public hearing was to hear the request of Raj K. and Kuldip Mangla's for an area variance to erect a 136 square foot handicap ramp for their tenant Cheryl Hill that does not meet village code Schedule 1 which would require a 15' setback from the side property line. Application shows less than 1 foot to the east property line. Mr. Michael Ratey, Contractor for Mr. and Mrs. Mangla, is their agent of representation. Sharon Karge is representation for ARC and Ms. Cheryl Hill, Tenant at 18 State Street.

Chairman Mordue asked if everyone has signed in and that if anyone wants to direct the board to raise your hand, he'll call on you, stand up, state your name and direct all comments to the board.

Chairman Mordue visited 18 State Street and saw that there is currently a ramp to the front entrance. Could this ramp be repaired? Steve Dehond stated they were requesting another ramp to the rear of the house. Mr. Ratey stated that the front ramp does not meet the American Disabilities Act requirements and to repair to code would put it out into the road. Ms. Karge state the give funds for repair and will not recognize "grandfather" codes.

Ms Cheryl Hill requires 24-hour care and is non-ambulatory and is confined to a wheelchair. It was stated that she needs a safe exit plan. She will not be moving from this location. It is her home near her mother. If and when she leaves this residence an agreement has been made to remove the ramp.

Ms. Sylvia Hill (neighbor to the east) stated they use the front entrance all the time. The rear entrance can be blocked with snow and they keep a van in the driveway that sends fumes into her home. She has concerns because their homes are very close to each other.

ARC representative stated they would discuss these concerns and work with Ms. Hill.

Chairman Mordue asked if there any more questions.

The public hearing was adjourned.

ZBA MEETING HELD NOVEMBER 01, 2006

Present: Donald Mordue, Chairman
Michael Haley
Rick Beaton

Absent: William Henry, Anthony Muscolino

Others: Steve DeHond, Michael Ratey, Richard Beyea, Cindy Allen, Sharon Karge, Ontario ARC, Mary D'Amico, Fingerlakes Visiting Nurse Service, Nancy J. Watson, Sara Donaldson, John Doty, Sandra Hill, Cheyanne Hill, Cheryl Hill, Sylvia King, Linnea Harding.

Recording: Rita J. Gurewitch, Deputy Clerk

The meeting was called to order at 8:00 PM by Chairman Mordue.

After discussing the proposed request from Raj & Kuldip Mangla, the following resolution was offered by Mr. Haley, seconded by Mr. Beaton who moved its discussion.

WHEREAS, Raj & Kuldip Mangla have applied for a variance to allow a handicap ramp within 15 feet of the east property line at 18 State Street; and

WHEREAS, all residents of the village within 500 feet were notified of the public hearing; and

WHEREAS, it does not appear to be a self created hardship and no opposition was heard; and

WHEREAS, the members of this board are familiar with said location and the conditions and circumstances under which said variance is requested; and that the character of the area would not be changed if the variance were allowed as requested; and

NOW, THEREFORE, BE IT RESOLVED, that this variance application be **APPROVED** to allow a handicap ramp at 18 State Street within 15 feet of the east property line.

The above resolution was put to roll call vote, which resulted as follows;

Anthony Muscolino	Absent	
Patrick Beaton	Voting	“AYE”
Michael Haley	Voting	“AYE”
Donald Mordue	Voting	“AYE”
William Henry	Absent	

The resolution was thereupon declared duly adopted.

Mr. Richard Beyea addressed the Zoning Board with a request for a re-hearing for Jerilyn Souther to have food vending at 84 South Main Street.

She was denied an area variance for *Drive-In Restaurant shall not be closer than two hundred (200) feet to a residential district* at the November 01, 2006 ZBA hearing and meeting.

Mr. Beyea stated they would like to submit more information supporting why it should be allowed.

A discussion followed and a vote was called to allow a re-hearing for Jerilyn Souther for Food Service at 84 South Main Street:

Anthony Muscolino	Absent	
Patrick Beaton	Voting	“AYE”
Michael Haley	Voting	“AYE”
Donald Mordue	Voting	“AYE”
William Henry	Absent	

Chairman Mordue stated that the application will be sent to the Ontario County Planning Board for their January meeting.

The meeting was adjourned on motion at 8:30 PM.

Respectfully submitted,

Rita J. Gurewitch
Deputy Clerk/Treasurer