

**MINUTES OF ZONING BOARD OF APPEALS PUBLIC HEARING AND MEETING HELD
NOVEMBER 7, 2007**

Present: Donald Mordue, Chairman
Patrick Beaton
Thomas Coyne

Absent: Michael Haley
Anthony Muscolino

Others: John Barry, Frank Gorgonzola, Judy Robinson, Deborah Frederick, Helen Frederick, Frank Corino,
Matt Schaertl, Vincent DelGotto Jr.

Recording: Debbie Chase, Deputy Clerk/Treasurer

The public hearing was called to order at 7:30 PM by Chairman Mordue. Chairman Mordue announced that the hearing is for John Barry, Co-Owner of Four Clovers Inc. and that he has been previously before the ZBA. He has a proposal before the Planning Board for the 13.75 acres of vacant land south of State Street that is currently owned by Thomas Abbott. Mr. Barry has a contingent offer into Mr. Abbott to purchase the acreage.

Chairman Mordue stated that Mr. Barry is seeking an area variance that does not meet village code § 100-54 H. *No exterior wall shall exceed one hundred (100) feet in length unless there is a lateral offset of at least (8) feet in its alignment not less frequently than along each one hundred (100) feet of length of such exterior wall.*

Chairman Mordue read a letter from the Planning Board giving a positive recommendation to allow this variance. (Letter attached) According to stamped architectural designs of the 130-143 ft apartment buildings, the structures are sound and therefore this is an aesthetic design. Paddocks of the Finger Lakes will be located in a private community and not a detriment to nearby properties.

Debbie Fredericks- She said that this was already voted upon before this meeting... and she was asking why the project did not have a seeker. Chairman Mordue addressed Ms. Fredericks and the others that the discussion this evening will be only on the variance.

After discussing the request, the following resolution was offered by Chairman Mordue, seconded by Mr. Beaton and carried:

WHEREAS, Mr. Barry has applied for a variance allow the buildings to NOT be off-set as the current code is for ascetics only: and.

WHEREAS, Mr. Barry is requesting to allow the buildings to NOT be off-set line so to utilize space as the current code will make the building closer to the back lot lines; and

WHEREAS, Mr. Barry did not self- create the difficulty with the current zoning code as it is a old usage code; 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 remain unchanged; and

WHEREAS, a strict application of the village zoning law would result in a practical difficulty; and

NOW, THEREFORE, BE IT RESOLVED, that this application be **GRANTED** to allow Mr. Barry to pursue his proposal to have all the buildings visual even.

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

Donald Mordue	Voting	“AYE”
Patrick Beaton	Voting	“AYE”
Thomas Coyne	Voting	“AYE”
Michael Haley	Voting	ABSENT
Tony Muscolino	Voting	ABSENT

The resolution was thereupon declared duly adopted.

The public hearing and meeting were adjourned on motion at 7:45 PM.

Respectfully submitted,

Debra Chase
Deputy Clerk/Treasurer