



Town of Gates

1605 Buffalo Road
Rochester, New York 14624
585-247-6100

Meeting Minutes

October 12, 2021

MEMBERS PRESENT: Christine Maurice, Chairperson; Don Ioannone;
Bill Kiley; Steve Zimmer; Don Rutherford

MEMBER(S) NOT PRESENT: NA

ALSO PRESENT: Robert J. Mac Claren, Esq., Board Attorney
Cosmo Giunta, Councilman & Zoning Board
liaison

A public hearing of the Gates Zoning Board of Appeals was called to order by **CHAIRPERSON MAURICE** at 7:30 p.m. at the Gates Town Hall. **CHAIRPERSON MAURICE** explained the purpose and procedure of the Zoning Board.

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CHAIRPERSON MAURICE - Explains process and role of the ZBA;

CHARIPERSON MAURICE – first order of business is to accept minutes from September, 2021 meeting; one addition, no changes or corrections;

MOTION – MR RUTHERFORD – Motion to approve minutes

Second - MR KILEY

Mr. Zimmer abstains due to absence

All in favor, minutes approved

APPLICATION NO. 1

A REQUEST FROM RENEE LANDAHL TO EXTEND THE AREA VARIANCE APPROVAL GRANTED TO HER ON MAY 10, 2021, TO ERECT A GARAGE ADDITION WHICH WILL ENCROACH INTO THE REQUIRED SIDE YARD SETBACK, ON PROPERTY LOCATED AT 226 MEADOWDALE DRIVE, FOR A SIX MONTH PERIOD.

CHAIRPERSON MAURICE – area variance extension; area variance was granted; applicant approached town because she is having trouble finding a contractor within the six month period; making application for extension before six months ran out, therefore an administrative action to extend only; no public hearing is required; applicant does not have to be here and has submitted a letter; Making a single car garage into a two car garage which required a small set back variance in the side yard

PUBLIC HEARING – no one in attendance

MOTION – MR KILEY – Motion to accept one year extension

This approval was strictly conditioned on, among other things, pursuant to Section 190-194, entitled Notification of Decision, Town of Gates Code, your client obtaining "...necessary permits from the Building Department within the six-month period prescribed by Town Law, and commence construction within one (1) year of issuance. Failure to obtain a permit and commence construction will terminate this variance, making it thereafter null and void." Additionally, Section 190-194 specifically provides that "A building permit must be obtained within six months of the decision date; substantial construction must start within one year." The six (6) month period for your variance will expire on November 10, 2021.

Second – **MR RUTHERFORD**

CHAIRPERSON MAURICE – motion to accept one year extension; permit needs to be pulled by November, 2022

Member Vote Tally

Mr. Ioannone – yes

Mr. Kiley – yes

Mr. Rutherford - yes

Mr. Zimmer – yes

Chairperson Maurice - yes

Variance granted 5-0

MOTION - to adjourn – **MR KILEY**

Second – **MR RUTHERFORD**

All in favor

Respectfully submitted,

Clare M. Goodwin, Secretary
Gates Zoning Board of Appeals