

Zoning Board of Appeals  
Public Hearing May 24, 2007  
M-K U-Stow/Jason Avery  
Special Use Permit Requests

APPROVED

Minutes approved 10/25/2007  
(next meeting )

Present: Mike Cleere, Mervin Hurst, Pete Keefer

Absent: Julie Thompson, Steve Barto

In the absence of Chairman Steve Barto, Pete Keefer motioned with second from Mike Cleere to appoint Mike Cleere as Temporary/Acting Chairman for tonight's meeting. Vote carried 3/0.

The meeting was called to order by Acting Chairman Mike Cleere at 6:36PM. Mervin Hurst motioned with a second by Mike Cleere to open the public hearing for M-K U-Stow. There were three people in the audience. The purpose of this public hearing was to consider the special use permit application for M-K U-Stow mini storage to be in compliance with zoning regulations, and to consider a special use permit for a prospective buyer, to construct three more mini-storage buildings.

It was noted that the prospective buyer lives in the state of Washington. He was represented by his contractor, Chuck Robinson of Geneva. The engineering plan was studied and discussed in length. One of the main concerns was drainage, as it was noted that the neighbor to the North, DiCicca Insurance, sits low and has a problem with water run-off. Local resident, Bob Apgar, said his only concern was if there was adequate room for snow removal. The engineering plan was studied, showing adequate space at the rear of the property. Other concerns centered around lighting, conformity in design and color, landscaping, signage and fencing. It was noted that there is currently a fencing moratorium until October 2007, requiring a 6 (six) foot set-back. Mr. Robinson said this would not be a problem, as the fence would be the last thing done. They will comply with whatever the fencing regulation is at that time.

The Seneca County Department of Economic Development and Planning reviewed this application at its May 10<sup>th</sup> meeting. A copy of their determination is attached as part of these minutes.

The Zoning Board of Appeals and Mr. Robinson went over concern by concern and agreed to conditions to satisfy all present. The public hearing was closed at 7:16PM.

Pete Keefer expressed concern over a possible conflict of interest, as he was consulted some time ago in the planning stage of this project. He wanted to be upfront about this. He stated that he does not have a contract with the prospective buyer to do any work on this project. Acting Chairman, Mike Cleere, stated he saw no conflict of interest, and the meeting continued.

Further discussion by the Board summed up the conditions for approval that will be put into resolution form. See Resolution 01-2007 and Resolution 02-2007, attached.

In other business before the Board, Mervin Hurst motioned to approve the minutes from the April 10, 2007 meeting, with a second by Pete Keefer. Vote 3/0 motion carried.

Also, entered into the minutes of tonight's meeting is a letter from Edward Fedele received May 22, 2007, withdrawing his application #2007-01 for a Special Use Permit to relocate his car dealership to his home at 3003 Route 96. An acknowledgement will be sent.

Motion to adjourn by Pete Keefer, with second by Mike Cleere, vote 3/0.  
Meeting adjourned, 7:45PM.

Submitted by

Susan Hensel  
ZBA Clerk