

David Locke  
4180 Teall Beach  
Tax Map #25-1-59  
August 17, 2015  
6:30 pm

The meeting was called to order at 6:37pm by Chairman Barto.

Roll Call Attendance:

Pete Keefer	Present
Ford Knight	Present
Julie Thompson	Absent
Mike Cleere	Absent
Steve Barto	Present
Joanne Moll, Alternate	Present

Ford Knight motioned with a second by Pete Keefer to approve the minutes from July 13, 2015 as written. Vote 3/abstain

Ford Knight motioned with a second by Pete Keefer to open the public hearing at 6:39 pm. So moved.

Chairman Barto began by saying the Zoning Board of Appeals will give its interpretation of a driveway, and then it will go back to the planning board. At the planning board meeting on May 18<sup>th</sup>, he was turned down due to access of a shared driveway.

Deb Gilbert noted that there are two signs on Teall Beach that denote driveway. There are many blind spots and many areas no wider than 12 feet.

Chairman Barto inquired about rentals. Lois Judson said limousines come down for renters. They object to renters too. Chairman Barto added that a Bed and Breakfast where the landlord was there is better control. Lois Judson said opening Pandora's box....what else would come? Lois Judson wants regulations put on rentals.

David Locke said he has bookings into November. No buses and limousines will be going to his house. He passed out and read his Request for Approval to Operate a Bed & Breakfast on Teall Beach, which will become attachment #1.

Mrs. Gilbert never saw the petition. Heard some wanted to rescind. They are against business operations on a residential road. Mrs. Judson noted this was the first opportunity to object. No opportunity to object to rentals. Ford Knight said the biggest problem is maintenance of the road. He counted 30 mailboxes and wondered how many people when all the kids come?

Judith Lerch questioned the shared driveway and how did the other bed and breakfast do it? Chairman Barto said they were in operation before the code went into affect. John Tarr added that the biggest problem is accessing East Lake Road. Don't want to create more traffic. Nancy Locke said she has lived there 35 years. It is a narrow road. Never heard it called a driveway before.

Lois Judson asked if approved, does it open up to other businesses? Chairman Barto read from Section 825 in the Land Use Regulations concerning Home Businesses, "The Town of Fayette acknowledges the importance of home businesses as many Town residents earn their living, in whole or in part, by operating businesses based in or at their homes.....The intent of these regulations is to enable Town residents to continue to operate existing home businesses and start new home businesses while preserving the rural character of the Town and protecting the rights of neighboring Town residents to the peaceful enjoyment of their properties."

Cindy Vestal inquired about fairness of residents. Is the business paying taxes? Occupancy tax? David Locke stated that he is a member of the Seneca County Chamber of Commerce and the Geneva Chamber of Commerce. Mrs. Gilbert inquired about the Dockhouse Bar, with navigational lights. What are you going to do here? No response.

Ford Knight motioned with a second by Joanne Moll to close the public hearing at 7:17 pm. Vote 4/0.

Ford Knight motioned with a second by Joanne Moll to discuss and consider the issues before us concerning the interpretation. So moved.

Chairman Barto read Section 812E from the Land Use Regulations: "No bed and breakfast inn shall be permitted where access is provided by a shared driveway." He then referred to page 17 in the Land Use Regulations and read the definition of driveway, "A private roadway providing a means of access from a public roadway to a property or off-street parking area. An access way may also be deemed a driveway." Chairman Barto proceeded by reading a letter from the attorney, see attachment #2. He noted that their interpretation is that Teall Beach is a driveway. It is not legal to have a bed and breakfast down there.

Ford Knight motioned with a second from Joanne Moll to act on the application for interpretation concerning the definition of driveway referenced on page 80, 812E, and page 17. It was determined that Teall Beach is a driveway.

Roll Call Vote: Pete Keefer	Yes
Ford Knight	Yes
Joanne Moll	Yes
Steve Barto	Yes

Ford Knight motioned with a second by Pete Keefer to adjourn at 7:31 pm.  
Vote 4/0

Respectfully submitted,

Susan Hensel  
ZBA Clerk