

**ZONING BOARD OF APPEALS**  
***Official Minutes***  
**Thursday, November 17, 2022**  
**6:00 pm**  
**Council Board Room**  
**One Batavia City Centre, Batavia, NY**

Members present:     *Jeff Gillard, Nick Harris, Dave McCarthy, Leslie Moma, Jim Russell*

Members absent:     none

Others present:     Meg Chilano – Recording Secretary, Doug Randall – Code Enforcement Officer

**I.     Roll Call**

Roll call of the members was conducted. Five members were present and Chair Dave McCarthy declared a quorum.

**II.    Call to Order**

Mr. McCarthy called the meeting to order at 6:01 pm.

**III.   Pledge of Allegiance**

**IV.    Approval of Minutes**

There were no corrections to the minutes. Mr. McCarthy assumed the motion and the minutes were approved by unanimous consent.

**RESULT: Approval of October 27, 2022 minutes.**

**V.     Zoning Board of Appeals statement**

Mr. McCarthy explained the role of the Zoning Board of Appeals and the procedures it follows.

**VI.    Variance Requests**

Area Variance: place a 146 sq.' one-story addition on the east elevation of an attached garage now under construction. A portion of the addition will be located within the north and east side yard clear spaces

Address:     *6 Grandview Terrace*

Applicant:   *Bruce Scofield, owner*

Actions:     1. Review proposal  
              2. Public hearing and discussion  
              3. Action by the board

### **1. Review Application**

Acting Vice Chair, Leslie Moma, read the summary of the proposal.

### **2. Public Hearing and Discussion**

**MOTION:** Mr. McCarthy moved to open the public hearing; the motion was seconded by Mr. Harris, and on roll call, was approved 5-0.

**RESULT: Public hearing opened at 6:05 pm.**

Burt Earl, agent for the applicant, explained that the addition is being place on an existing shed. The walls will be raised to 8', while the footprint remains the same.

Mr. McCarthy had checked out the property and spoken with the owner. Mr. McCarthy told the board that the applicant intends to create a pool changing house that has a toilet.

Mr. Russell asked if there are any obstructions, and Mr. Earl responded that there are none; the yard is fenced in.

There were no calls, letters, or email concerning the proposal.

**MOTION:** Mr. McCarthy moved to close the public hearing; the motion was seconded by Mr. Russell, and on roll call, was approved 5-0.

**RESULT: Public hearing closed at 6:07 pm.**

### **3. Action by the Board**

Mr. McCarthy went through the list of supporting criteria for the variance:

- Undesirable change in neighborhood character: no
- Alternative cure sought: no
- Substantiality: not substantial
- Adverse effect or impact on neighborhood/community: no
- Self-created: no

**MOTION:** Mr. Gillard moved to approve the variance, with 60 days to obtain the permit. The motion was seconded by Mr. Russell, and on roll call, was approved 5-0.

**RESULT: Area Variance approved.**

## **VII. Setting of Next Meeting: December 22, 2022**

## **VIII. Adjournment**

Mr. McCarthy adjourned the meeting at 6:11 p.m.

  
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Meg Chilano  
Recording Secretary