

**TOWN OF FARMINGTON
ZONING BOARD OF APPEALS MEETING MINUTES**

APPROVED MINUTES

The following minutes are a written summary of the main points that were made and the actions taken at the Town of Farmington Zoning Board of Appeals meeting held on February 22, 2010.

Zoning Board of Appeals Members

Edward Hemminger--Chairman
Leslie O'Malley
Raymond Ward
Chris Dunfey
Gary Scribner

Board Members

Floyd Kofahl -Excused-Code Enforcement Officer
Ron Brand -Excused-Director of Development

Also Present

Chris Mahan -Thompson Health, 350 Parrish St., Canandaigua, N.Y. 14424
Verna Cowley -1098 County Road 8, Farmington, N.Y. 14425
Ken Rogers -1022 Hook Road, Farmington, N.Y. 14425
Peter Ingalsbe -Farmington Town Councilman

Open Meeting

Edward Hemminger called the meeting to order at 7:00 pm. He explained the emergency evacuation procedures and rules of procedures of the meeting and stated that copies of the evening's agenda and legal notices were available on the table by the door. He then asked those present to sign in if they had not already done so.

Approval of Minutes

Gary Scribner made a motion to accept the December 21, 2009 meeting minutes and the motion was seconded by Raymond Ward. A voice vote was taken and the motion was passed with five (5) Ayes.

Gary Scribner made a motion to accept the January 25, 2010 meeting minutes and the motion was seconded by Leslie O'Malley. A voice vote was taken and the motion was passed with five (5) Ayes.

BOARD BUSINESS:

#ZB 0201-10

VERNA COWLEY

Area Variance

The applicant is requesting an area variance to the provisions of Chapter 165, Article V, Section 55 of the Farmington Town Code. The applicant wishes to create a parcel of land containing 4.6 acres of land to be used for the housing and keeping of animals. The Town Code requires a minimum of five acres of land for the housing and keeping of animals. The property is located at 1022 Hook Road and is zoned GI General Industrial District.

one two-sided ground commercial speech business identification sign to have a maximum allowed square footage of 64 square feet. The property is located at 1160 Corporate Drive and is zoned PD Planned Development District.

Edward Hemminger read the legal notice for #ZB 0101-10 and #ZB 0102-10 that was published in the Daily Messenger on January 18, 2010 requesting the area variances.

Edward Hemminger stated that the Zoning Board had sent staff away with the guidance to draft a resolution for approval of the size of the larger sign and then denial of the tenant listing sign. But we discussed that it would be beneficial to have some of the tenants listed on the big sign because of so much empty space on the sign. Now the applicant has come back with a sign that has the name as well as the tenants listed on it. The problem we have run into is that although the existing sign was put in place before the sign laws, meaning that the pre-existing conditions were grandfathered in, but once the change is made the new sign has to meet the new code. This means that the size variance has to be approved as well as the adding of tenants to the big sign. This requires a second variance because signs are not allowed to have the tenants listed. We all agree we like the concept of having the Urgent Care on the sign, so what we will have to do is have the applicant submit a variance request for the tenants to be listed on the sign. Edward stated that he recommends the ZB# 0101-10 variance request be withdrawn. Next month the Board will have to approve the size variance or it will go over the 62 day limit for consideration.

Chris Mahan asked if what he needs to do is submit a variance to add tenants on the sign and Edward replied yes.

Chris Dunfey said that the Board does not have a problem with the sign having Thompson Medical Center and Urgent Care on it but we do have a problem with other tenants being listed on the sign.

Edward Hemminger said the Board will address the issue of tenants on the sign at the meeting in March if the application is submitted in time for the meeting. It has to go to the County again. We will hold over our decision for these two variances until the March meeting.

Other Board Matters:

- a. The Planning Board has openings and Zoning Board members can apply.
- b. The Access Ontario Fiber Ring Corporation has put on a national publicity site that Ontario County is strongly interested in the Google fiber to the home potential.

Director of Development Update:

None.

Code Enforcement Officer Update:

None.

Next Meeting:

The next Zoning Board of Appeals meeting will be held on March 22, 2010.

Gary Scribner made a motion to adjourn the meeting at 7:50 pm. Leslie O'Malley seconded the motion. The motion was passed with a voice vote of five (5) ayes.

Minutes were respectfully submitted by Patricia Eddy, Clerk of the Board.