

**Zoning Board Public Hearing  
12-15-2021**

Members Present: Chairman Mark Connolly, Scott Hulburt, Amy McMahon, Dustin Geiger, Heather Nagel (alt In January 2022)

Others: Donna Falkner, Carl Peter, Catherine & David Strong, Jennifer & Brian Geer

7 pm – Chairman Connolly opened the public hearing to rescind the Rossborough use variance and for an area variance for Catherine & David Strong

**Town of York Zoning Board of Appeals  
Public Hearing**

On **Wednesday, December 15, 2021**, at 7:00 p.m. at the York Town Hall, the Zoning Board of Appeals will hold a public hearing to discuss rescinding the area and use variances granted to Ron Rossborough on 6-16-21 for a flea market located at 2727 Genesee St., Piffard, NY.

All are welcome to attend.

Donna Falkner  
Zoning Board of Appeals Clerk  
11-29-21

**Town of York Zoning Board of Appeals  
Public Hearing**

On **Wednesday, December 15, 2021**, at 7:15 p.m. at the York Town Hall, the Zoning Board of Appeals will hold a public hearing to discuss an area variance to divide the house portion from the remaining parcel of land (42.-1-6.22) All are welcome to attend.

Donna Falkner  
Zoning Board of Appeals Clerk  
11-12-21

Mr. Connolly said we normally keep the public hearings open for 10-15 minutes for comments. The Strongs are asking for an area variance from the 3 acres, 250 ft. frontage required in an ag district. Per the tax map, they have 34.5 acres, and they want to separate the house from the Stocking Hill Farms property. Mr. Strong said this would create an 8<sup>th</sup> tax parcel on the property. Mr. Peter said it would be a 9.87 ft. frontage and they need the variance for the frontage.

Mr. Connolly had a sample variance form from Bloomfield for the board to look at and see if we want one similar to it or make changes on.

At 7:17 pm, Mr. Connolly closed the public hearing for the Strongs. He said that we should leave the other hearing open for written submissions because Mr. Rossborough was not notified of the hearing, and we would like to continue it at the public hearing for Jeff Farruggia in January. Mr. Peter asked if the owner should be notified instead of the applicant.

7:21 pm Mr. Connolly opened the ZBA meeting.

Mr. Connolly said he received comments regarding our last meeting on Veterans Day, so he asked for a moment of silence in honor of veterans.

Mr. Connolly introduced and welcomed Heather Nagel as an alternate member starting in January.

Mr. Geiger and Mr. Hulburt both commented on corrections to the November minutes.

**Resolution:**

Mr. Geiger moved to approve November 9 minutes with the corrections, Mr. Hulburt seconded, all in favor, carried.

Aye - 4            Nay – 0

Mr. Connolly asked if there were any more comments on the Strong area variance. Mr. Geiger asked if the whole lot was in the variance. Mr. Hulburt said look at the grade lines. Mr. Geiger said so they are taking one parcel out with a road of frontage of 9.87 ft. Mr. Peter said there is an easement to the other house for the driveway, leaving the easement with the owner. Mr. Strong said the owner has the controlling share (60/40); he said they were trying to clean it up some for the future. Mr. Geiger asked if the property was separated before.

Mr. Peter said the Scott Willis property was done 30 some years ago. They are making two lots out of one, so it doesn't trigger a subdivision. The Planning Board chair will have to sign map that it doesn't require a subdivision review. The Strongs had checked the box for subdivision on the variance request. Mr. Connolly asked them to cross it out and initial.

Mr. Geiger did not see what the area variance was for on the application, so it was amended with the description and initial by Mrs. Strong.

**Resolution:**

Mr. Connolly moved to grant the 9.87 frontage area variance for Catherine and David Strong, Mr. Hulburt seconded, all in favor, carried.

Aye – 4            Nay - 0

Mr. Connolly quickly read the five criteria for an area variance. He said Ms. Falkner will send the Strongs a letter.

Mr. Hulburt said that with the Rossborough issue, both the owner of the property and tenant should be notified. Mr. Geiger said Mr. Rossborough never provided a financial hardship and it would open use on the property because variance goes with the property, and he pulled out. Mr. Peter said if you rescind the variance, then a new application has to go through the steps. Mr. Connolly said going forward we want the criteria to meet the listed. Mr. Connolly will write the letter and send to Ms. Falkner to mail.

January 12 at 7 pm – public hearing for Jeff Farruggia to split property and also to close Rossborough public hearing.

**Resolution:**

Mr. Hulburt moved to adjourn at 8:00 pm, Mr. Geiger seconded, all in favor, carried.

Aye – 4            Nay - 0

Respectfully submitted,  
Donna K. Falkner