**Zoning Board of Appeals September 14, 2016 Public Hearing and Regular Meeting Minutes**

The meeting was held at the Aurora Firehouse meeting room at 7:00 pm

**Present:** Chairperson Karen Hindenlang, Laura Holland, Ann Tobey and Jeri Vargo

**Absent:** Marie Taylor

**Others Present:** Village Clerk Ann Balloni, Code Enforcement Officer Patrick Doyle, Trustees Grace Bates & Alan Ominsky, and Planning Board member Pat Foser

Local residents/property owners Rufus Bates, G. Alan Clugston, Robert Jetty, and Tracy Leffingwell

**Public Hearing for Application #16-39 from Robert Jetty for an Area Variance at 358 Main St (Tax Map #181.13-1-23)**

**Call to Order:** Chairperson Hindenlang called the public hearing to order at 7:00 pm. Ms. Hindenlang noted that a quorum of the board is present and that ZBA members Hindenlang, Tobey, and Vargo attended a site visit of 358 Main St on September 12, 2016 at 3:30 pm along with Code Enforcement Officer, Patrick Doyle. Mr. Jetty, and Trustees Bates and Ominsky were also present at the site visit.

Ms. Hindenlang asked Mr. Doyle to explain his reason for denying Application #16-39. Mr. Doyle noted that he sent Mr. Jetty a letter of denial (attached) due to the proposed subdivision creating a landlocked lot with no frontage. The minimum requirement for building lots in the village of Aurora is 100’ of frontage on a public way. Mr. Doyle cited sections 503 and 201 of the Village Zoning Law which led to his determination.

Mr. Jetty explained that initially he was planning on accessing the newly created lot off of Court St and purchased land from Oak Wood Cemetery for easier access. However, it was later determined that the cemetery did not own the land sold to Mr. Jetty; the property in question was deemed an extension of Court St and owned by the village. Mr. Jetty was issued a refund by the cemetery and submitted a new application (#16-39) requesting access from Main St to the rear lot.

Mr. Jetty discussed possibly constructing one building with four apartments, or perhaps two apartments, or maybe building a single family residence but, as Ms. Hindenlang noted, no plans for the property are included with the application.

Ms. Hindenlang asked for any public comment and Rufus Bates, Mr. Jetty’s neighbor to the north, read a letter (attached) expressing his concern about the effect on the neighbors with potentially 8 additional residents living on the property.

The board addressed a series of questions to Mr. Jetty and Mr. Doyle. Replies and discussion ensued regarding the following:

* Zoning and code regulations for the proposed building lot
* Building dimensional requirements for a house/apartment building
* Creation of a flag lot or right-of-way easement for the proposed subdivision
* Desire for a more definitive plan before making a determination
* Concern about the requested variance setting precedent
* The possible need for the board to consult with legal counsel

ZBA members expressed discomfort with making a determination without additional information.

On motion by Ms. Vargo, seconded by Ms. Tobey, the ZBA voted to adjourn the public hearing to October 12, 2016.

AYES: Hindenlang, Holland, Tobey, and Vargo

NAYS: None

Motion carried unanimously.

**Call to Order:** Ms. Hindenlang called the regular meeting to order at 7:41 pm.

**Changes to the Agenda:** No changes

**Approval of Minutes:** On motion by Ms. Vargo, seconded by Ms. Holland, the ZBA voted to approve the July 13, 2016 minutes.

AYES: Hindenlang, Holland, Tobey, and Vargo

NAYS: None

Motion carried unanimously.

**Announcements:** Ms. Balloni asked the members to consider attending the New York State Planning Federation annual conference in April.

**Old Business:** No old business was discussed.

**New Business:** Ms. Hindenlang reiterated that the public hearing for Application #16-39 is adjourned until October 12, 2016 and instructed Mr. Jetty to submit any additional materials for the application no later than October 3, 2106.

**Adjournment:** On motion by Ms. Tobey, seconded by Ms. Vargo, the ZBA voted to adjourn the meeting at 7:45 pm.

AYES: Hindenlang, Holland, Tobey, and Vargo

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk