

April 11, 2019
Village of Hammondsport
Zoning Board of Appeals
Meeting Minutes

The Village of Hammondsport's Zoning Board of Appeals held a special meeting Thursday, April 11, 2019 at 5:00 p.m. to discuss the Timber Stone Grill, in the Village Office, 18 Water Street, Hammondsport.

PRESENT: Chairman Tim Atwood; Members: Deb Robbins, Linda Carl and John Hoch

ABSENT: Member Herbie Matthewson

OTHERS PRESENT: Jeff Yaniak, Kaylee Thomas and Terry Nardone

Chairman Atwood called the meeting to order at 5:00 p.m.

The purpose of the Special Meeting is to address Area Variance Application 2018-52, Submitted by Jeff Yanick, property owner Joanne Thomas, Timber Stone Grill, 70 Shethar Street, Hammondsport. The applicant is seeking relief from the Village's Density Control Schedule which states the maximum lot coverage including all accessory buildings in a B-2 Core District is 60%. Due to the structures and septic system the property is currently 656.6 sf over the allowed maximum. This proposed project would bring it an additional 144 sf over the allowed maximum.

Discussion by the Board included:

When was the cement pad placed?

Permit 2015-34 give the property owner permission to construct a fence, enclose dumpster and place a cooler.

A cement pad is placed over the grease traps for the restaurant with access being left for pumping and maintenance.

Jeff Yaniak presented engineered plans for a septic system going forward, in the case that the Village Wastewater Treatment Project does not get completed.

Jeff Yaniak has retained an engineer to make sure the structure over the cooler is compliant with the Village Code and safe, moving forward.

With no further discussion the Board moved forward.

The Chairman went over Part 1 of the Short Environmental Assessment Form and the Board answered the questions in Part 2.

John Hoch made a motion, seconded by Deb Robbins to accept the Short Environmental Assessment Form and after review the Board has determined based on the information and

analysis of the answers that the proposed action will not result in any significant adverse environmental impacts.

ROLL CALL VOTE: Tim Atwood – Aye
 Deb Robbins – Aye
 Linda Carl – Aye
 John Hoch – Aye
 Herbie Matthewson – Absent

Motion Carried

Linda Carl made a motion, seconded by John Hoch to accept 239M Referral from the Steuben County Planning Department that their review of the application 2018-52 has not revealed any significant

inter-community or county-wide impacts.

ROLL CALL VOTE: Tim Atwood – Aye
 Deb Robbins – Aye
 Linda Carl – Aye
 John Hoch – Aye
 Herbie Matthewson – Absent

Motion Carried

In making its determination the Board considered the following:

1. By the granting of the variance there will be no undesirable change in the character of the neighborhood or a detriment to nearby properties.
2. Whether the benefit sought by the applicant can be achieved by some other method other than a variance. The cooler had a permit 2015-34 to be placed. The structure enclosing it did not. The date of the placement of the concrete pad is unknown, due to the passing of the previous owner.
3. Whether the area variance is substantial. Yes, it is. However, there is a proposed Wastewater Treatment Project that will impact this area variance in the future.
4. Whether the proposed variance will have an adverse effect on the physical environmental condition of the neighborhood. It will not as it is contained to the back of the Timber Stone Grill and there is no through traffic in that area. .
5. Whether the alleged difficulty was self-created. It is but it is not substantial to cause any problems as there are plans in place in the future, for the septic system, from Jeff Yanicak, approved by the Department of Health and the proposed Village Wastewater Treatment Project.

Based on the above Findings and discussions John Hoch made a motion, seconded by Deb Robbins that the Zoning Board of Appeals does hereby approve the Area Variance Application 2018-52 submitted by Jeff Yanick, property owner Joanne Thomas, for the Timber Stone Grill, 70 Shethar Street, Hammondsport. Granting relief from the Village Maximum Lot Coverage Including all Accessory Buildings in a B-2 Core District of 60% and giving an Area Variance to

include the additional 144 sf for a total of 800.6 sf over the maximum allowed lot coverage.

With the following conditions:

1. The placement of the concrete pad be inspected with relationship to the septic system and verify that it does not hinder any of the components.
2. That the current structure be inspected for code compliance and safety, any corrections made and moving forward it meets all Code Requirements.

ROLL CALL VOTE: Tim Atwood – Aye
 Deb Robbins – Aye
 Linda Carl – Aye
 John Hoch – Aye
 Herbie Matthewson – Absent

Motion Carried

Linda Carl made a motion seconded by Deb Robbins to adjourn the meeting at 6:15 p.m.

Respectfully Submitted,

Tammie Nelson
Village Clerk