

July 19, 2022
Village of Hammondsport
Zoning Board of Appeals
Regular Meeting & Public Hearing Minutes

The Village of Hammondsport Zoning Board of Appeals held their Public Hearing & Regular Board Meeting on Tuesday, July 19, 2022 at 6:00 p.m. in the Village Office, 18 Water Street, Hammondsport and via ZOOM teleconference.

PRESENT: Acting Chairman Brad Tavel
Member Tim Atwood
Member Linda Carl
Member Michael Dillon
Alternate Member Deborah Lynch
Clerk-Treasurer Christina Watson
Code Officer Chuck Cagle via Zoom

ABSENT: Chairman Tom Moleski

OTHERS PRESENT: J&GMerriam, HScorsone, CCellura, N&BKing, CKolodziejczak, DKosan, SHollinger, CPowell, ALocey, BGustin & PWatson

Acting Chairman Brad Tavel called the meeting to order at 6:00pm and then opened the public hearing at 6:00pm.

PUBLIC HEARING: Area Variance 2021-061

DKosan asked if there was a certificate of occupancy. Could see problems arriving. Is pool part of the carriage house? BTavel-yes CPowell-question about pool from DKosan, can the pool be used by B&B since CPowell will be the owner of both properties. CCagle stated if the pool is on the other parcel cannot be used by the other parcel. CKolo read a correspondence from the neighbors. CPowell discussed that all previous items were taken care of at 18 Vine. She feels everyone is concerned about 18 Vine but not about other places not paying bed tax. LCarl asked about number of people. BGustin asked about it zoned as a 1 family residential. BTavel asked if there were any other questions from the board or public. TAtwood stated the variance will make a big difference on our decision-we are just looking at the variance. SHollinger asked if this is a violation of what is occurring? BTavel stated the board cannot expect a property owner to know what is in the future, just creating a need for a variance-also a detriment to the community-should look at that. I don't find any detriment to the community, no physical or environmental impact. With no further business before the Board, on a motion from Member Linda Carl, seconded by Member Michael Dillon, and carried, all voting Aye to close the Public Hearing at 6:40pm. On motion from Acting Chairman Brad Tavel to approve or deny the area variance for application 2021-061, seconded by Member Michael Dillon, and carried as follows: Denied

ROLL CALL VOTE: Acting Chairman Brad Tavel – Nay
Member Michael Dillon - Nay
Member Tim Atwood – Nay
Member Linda Carl – Nay
Alternate Member Deborah Lynch – Nay

MEETING MINUTES: Change the Are to Area under New Business. On a motion from Member Michael Dillon, seconded by Member Deborah Lynch, and carried, all voting Aye to approve the minutes of the Zoning Board of Appeals Meeting from June 21, 2022.

OLD BUSINESS: Use Variance 2022-021 & 2022-022

Continuance of these 2 applications. ALocey said some questions were changed. The variable of why, are different for each property. No public comments. DLynch-parking, TAtwood-LDR, LCarl-just stated ZBA can't change zoning, BTavel there wasn't a lot of information for reasonable return to property owner. Asked if there were any other public comments. ALocey-what relevance would those income driven items be for these applications? BTavel-there could be no financial hardship if you could make more money. Explained how it could be a hardship or not. LCarl-asked if ALocey could apply for a different zone. BTavel suggested maybe he should request a rezoning. He can't provide a reasonable return or hardship. ALocey pointed out on zoning

map about LDR, he said, he feels he provided enough financial info. My request is to change the use of my property not to rezone it.

On motion from Acting Chairman Brad Tavel to approve or deny the use variances for application 2022-021, and carried as follows: Approved

ROLL CALL VOTE: Acting Chairman Brad Tavel – Nay
Member Michael Dillon - Aye
Member Tim Atwood – Aye
Member Linda Carl – Aye
Alternate Member Deborah Lynch – Aye

On motion from Acting Chairman Brad Tavel to approve or deny the use variances for application 2022-022, and carried as follows: Approved

ROLL CALL VOTE: Acting Chairman Brad Tavel – Nay
Member Michael Dillon - Aye
Member Tim Atwood – Aye
Member Linda Carl – Aye
Alternate Member Deborah Lynch – Aye

NEW BUSINESS: Use Variance 2022-044

HScorsone gave a narrative about why they are here. Realtors told them they could have a boardinghouse. BTavel looked at page from Steuben County which says HDR zoned, our map says B1, read code on B1 in regard to boardinghouses. Added Steuben County .gis map to records. Asked what their occupations were. DLynch wanted to reiterate the code. TAtwood asked CCagle if he thinks this could be, by code, a change in use to be able to do the boardinghouse. LCarl said someone should look into why County is different. BTavel said, we will go by map that is set for village. Since they are in B1 zone they are fine to go back to Planning Board if they want a boardinghouse. They do not need a change in use variance.

Area Variance 2022-046

PWatson discussed variance and distances. DLynch-asked about neighbors, BTavel-no change to the neighborhood. On a motion from Acting Chairman Brad Tavel, seconded by Member Linda Carl, and carried, all voting Aye to move to Public Hearing.

With no further business before the Board, on a motion from Acting Chairman Brad Tavel, seconded by Member Linda Carl, and carried, all voting Aye to adjourn the meeting at 7:27pm.

Respectfully Submitted,

Christina Watson,
Village of Hammondsport Clerk-Treasurer