

**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 December 21, 2009.

Zoning Board of Appeals Members

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

Board Officers

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

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

Leslie O'Malley made a motion to accept the October 26, 2009 meeting minutes and the motion was seconded by Gary Scribner. A voice vote was taken and the motion was passed with five (5) Ayes.

PUBLIC HEARINGS:

NONE.

BOARD BUSINESS:

**Albert Crofton
111 Marsh Road
Pittsford, NY 14534**

#ZB 0901-09

Area Variance

The applicant is requesting an area variance to Chapter 165, Article V, Section 43. B. (1) of the Farmington Town Code. The applicant wishes to erect a second wall mounted sign on the exterior wall of an existing office building. The sign requested is 34-inches by 85-inches in size. The Town Code allows one identification sign on a parcel of land. The property is the Farmbrook Office Park, located at 1625 State Route 332 and is zoned GB General Business District.

WHEREAS, the Town of Farmington Zoning Board of Appeals (hereinafter referred to as Board) has reviewed the public hearing record on the above referenced applications for an area variance to allow a wall mounted commercial speech sign, a second commercial speech sign, on property located at 1625 State Route 332; and

WHEREAS, the Board has reviewed the Ontario County Planning Board Referral # 136-2009 (hereinafter referred to as County Referral) which recommends denial of the requested area variance; and

WHEREAS, the Board feels that it is in the best interests of the community and the public safety of the traveling public to grant the requested area variance to enable the applicant to adequately identify the location of his services being offered to the motorists using State Route 332; and

WHEREAS, the Board has decided to take action, by at least a majority plus one vote of its entire membership, to over-ride the County Referral recommendation and to approve Application #ZB 0901-09.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby take action to override the County Planning Board's Referral Recommendation of Denial, for the following reason:

There is a sight limitation for motorists traveling north along State Route 332 to the existing office building. Compounding the sight limitation is that the access to the office building is not from along State Route 332 but instead is from the side street Farmbrook Drive. Therefore, it is important to provide motorists traveling north along State Route 332 with the greatest visibility to the site so as to increase the amount of reaction time possible to enable the safe exiting from along the posted 55 mile per hour four lane highway. It is for this principal reason of improving public safety along this major highway that the Zoning Board of Appeals intends to approve of the requested area variance. The granting of the requested area variance will allow a second commercial speech sign to be placed upon the site on the side of the office building facing the north bound traffic on State Route 332. By allowing this sign, the Zoning Board of Appeals finds that it will be the minimum variance necessary to provide improved sight distance to the service and will, in turn, allow the motorists increased reaction time for them to safely exit from this heavily traveled highway.

BE IT FINALLY RESOLVED that the Clerk of the Board is to send copies of this resolution to the Ontario County Planning Board, the applicant and to place a copy of said decision in the property files for this site.

The above resolution was offered by Chris Dunfey and seconded by Raymond Ward at a meeting of the Town of Farmington Zoning Board of Appeals held on Monday, December 21, 2009. After discussion, the following roll call vote was taken and recorded in the minutes of the Board:

Gary Scribner - Aye
Chris Dunfey - Aye
Leslie O'Malley - Aye
Raymond Ward - Aye
Ed Hemminger - Aye

Public Comments:

There were no Public Comments.

Other Board Matters:

- a. Comments on Local Law Number 6 of 2009 (Amendments to Chapter 165 of Town Code). The Board received and reviewed the draft local law and had no specific recommendations.
- b. Rules of Procedure--to be acted upon at the January 25, 2010 Meeting.

Director of Development Update:

None.

Code Enforcement Officer Update:

None.

Next Meeting:

The next Zoning Board of Appeals meeting will be held on January 25, 2010. Leslie O'Malley made a motion to adjourn the meeting at 7:10 pm. Edward Hemminger 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.