

**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 August 24, 2009.

**Zoning Board of Appeals Members**

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

**Also Present**

Floyd Kofahl -Code Enforcement Officer  
Ron Brand -Excused -Director of Development  
Verna Cowley -1098 County Road #8, Farmington, NY 14425  
Larry & Jennie Potter -1108 County Road #8, Farmington, NY 14425  
Pete Ingalsbe -151 Galvin Street, Farmington, NY 14425

**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 July 27, 2009 meeting minutes and the motion was seconded by Chris Dunfey. A voice vote was taken and the motion was passed with three (3) Ayes. Raymond Ward and Gary Scribner were excused.

**BOARD BUSINESS:**

**Earl Johnson #ZB 0504-09 Use Variance  
226 Vienna Street  
Palmyra, NY 14522**

**The applicant is requesting a use variance to Chapter 165, Article IV, Section 18 of the Farmington Town Code. The applicant wishes to construct a pavilion (24 feet by 24 feet in size and 13 feet in height) to be located on a vacant parcel of land. A pavilion is considered to be an Accessory Structure. The Town Code allows an Accessory Structure to be placed on a Lot where a principal structure exists. The property is located on the north side of Rushmore Road, west of 4650 Rushmore Road and is zoned A-80 Agricultural District.**

Edward Hemminger read the legal notice for #ZB 0504-09 that was published in the Daily Messenger on May 18, 2009 requesting a use variance.

Floyd Kofahl stated that a letter of withdrawal was received from Earl Johnson. Floyd read the letter to the Board.

Chairman Hemminger announced that this is a Public Hearing and asked if there is anyone present who wishes to speak for or against this application. No one responded. A motion was made by Edward Hemminger and seconded by Leslie O'Malley to accept the letter of withdrawal at the August 24, 2009 meeting at 7:03 pm.. All present voted Aye.

**BOARD BUSINESS:**

**Vance Kannapel  
159 Honeysuckle Lane  
Farmington, NY 14425**

**#ZB 0505-09**

**Area Variance**

**The applicant is requesting an area variance to Chapter 165, Article V, Section 58. A. of the Farmington Town Code. The applicant wishes to construct an Accessory Structure (an 8 foot by 12 foot wooden storage shed) in the front yard portion of the Lot. The Town Code allows an Accessory Structure to be placed only in the rear yard portion of a Lot. The property is located at 159 Honeysuckle Lane and is zoned RS-25, Residential Suburban District.**

Edward Hemminger read the legal notice for #ZB 0505-09 that was published in the Daily Messenger on May 11, 2009 requesting an area variance.

Floyd Kofahl stated that Vance Kannapel asked at the June 22, 2009 Town Meeting for us to postpone his request for an area variance and to put it on the agenda for the August 24, 2009 Town Meeting but we have not received a letter of withdrawal or any phone call from him asking to postpone it.

Chairman Hemminger announced that this is a Public Hearing and asked if there is anyone present who wishes to speak for or against this application. No one responded. A motion was made by Leslie O'Malley and seconded by Chris Dunfey to keep the Public Hearing open until the Monday, September 28, 2009 meeting commencing at 7:00 pm. At the Farmington Town Hall. All present voted Aye. The Zoning Board of Appeals took no action upon this application.

**Public Comments: An informational informal open forum exploratory discussion:**

Verna Cowley stated that she will be requesting a variance to put a pony on her property. Her dad bought the pony for her granddaughter and he recently passed away. He had kept the pony on his property and she now needs to put the pony on her land.

Larry and Jennie Potter stated that Verna now has one acre for the pony and we would give her another 1 ½ acres. She already has an existing barn for the pony. We want to know what the chances are of her variance being approved.

Vera stated that it would be just for the one pony.

Floyd Kofahl told the Board that the concerns you will need to address are the total acreage which the requirement is 5 acres and the side setback requirement of 100 feet for the structure. Most of the other approved variances similar to this that we have done have had the acreage but have had weird shaped lots. The neighborhood has larger areas with more horses.

Leslie O'Malley told Verna that the Board would like her to have the neighbors write a short letter saying they approve so the Board could have them for their files.

Chris Dunfey stated that the Board may want to put a condition on accepting the variance that there can only be one horse housed on the property.

Edward Hemminger said that he doesn't believe there are any huge issues. He told Verna to file the application for the variance and we will put it on the September 28 ZBA meeting agenda.

This open forum was closed at 7:18 pm.

**Public Comments: An informational informal open forum:**

Pete Ingalsbe addressed the Board stating that he and Michelle Finley are working with Supervisor Fafinski on updating the website for the town and want to make the Board aware of this and if the Board has any ideas or anything the Board may want to put on the website in addition to the Board minutes to let them know.

Ed stated that a copy of the application documents and what the requirements are for the different variances may be ideas we will consider. The Code is always available.

Leslie O'Malley asked if the agendas will be put on the website also.

Chris Dunfey stated that he thought it is more for the Department head to make it more friendly for people to go on the website, a resource for them to find out what a variance is. Make it more user friendly if possible.

Ed told Pete that at some time you will want to seriously consider taking credit cards for various things through a third party.

Pete stated that it is in the works now starting with simple things like water bills.

This open forum was closed at 7:26 pm.

**Other Board Matters:**

- a. Rules and Procedures to be discussed at the September 28, 2009 meeting.
- b.

**Director of Development Update:**

None.

**Code Enforcement Officer Update:**

Floyd Kofahl told the Board that the Park Place Restaurant will be demolished and rebuilt and that Aldi's is planning to be open by Thanksgiving.

**Next Meeting:**

The next Zoning Board of Appeals meeting will be held on September 28, 2009.

Edward Hemminger made a motion to adjourn the meeting at 7:40 pm. Leslie O'Malley seconded the motion. The motion was passed with a voice vote of three (3) ayes. Raymond Ward and Gary Schribner were excused.

Minutes were respectfully submitted by Patricia Eddy, Clerk of the Board.