
Town of Groveland
Zoning Board Minutes
4955 Aten Rd.
Groveland, NY 14462
Tuesday, January 21, 2025

Members Present:

Pattie Johnston

Abigail Gulesano

David Tozier

Michael Musumeci

Code Officer: Ron Maxwell

Others:

Absent:

William Magee

1. Call to Order

Chair Pattie Johnston called the meeting to order at 7:05 PM. There was a quorum present. Chair Johnston began the meeting by reading aloud the Public Hearing Announcement for the variance application. The Public Hearing had appeared in the Livingston County News on January 10, 2025.

2. Public Hearing: Mike Hale, 4432 Lattimer Road, Groveland; Tax Map #126-1-15.120

Chair Pattie Johnston invited Mr. Hale up to explain what he is seeking. Ron explained that the applicant wasn't aware he needed to apply for any permit, but since the shed is so close to the road Ron cannot grant a permit.

There were not any public hearing signs out due to personal issues.

There have been no negative comments from the public in reference to the project.

County Planning has also considered variance request as a matter of "local option."

The board reviewed the five questions and included in file:

1. Will an undesirable change be produced in the character or the neighborhood or will a detriment to nearby properties be created by granting the variance?

No, it is still outside of the rightaway and doesn't impede with the maintenance of the road

2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance?

No, because the building is already built, and it would cause a financial hardship to move the barn.

3. Is the requested variance substantial?

Yes, it is over 50%

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No, the highway superintendent has no problem with the location of the building

5. Is the alleged difficulty self-created?

Yes, the applicant wanted the barn

No further SEQR is needed because this is #12 on the type 2 action form.

Dave Tozier made the motion to grant the approval, and grant that no other town approval is needed.
Abigail Gulesano seconded the motion.

All in favor: Abigail Gulesano- AYE, Dave Tozier- AYE, and Michael Musumeci- AYE
Opposed: None
Abstained: None
MOTION PASSED

The necessary form was signed and given to the Town Clerk to be processed.

All in favor: Abigail Gulesano- AYE, Dave Tozier- AYE, and Michael Musumeci- AYE
Opposed: None
Abstained: None
MOTION PASSED

3. Public Hearing: Robert McTarnaghan, 5900 West Lake Road, Conesus, Tax Map # 109-1-36 and 109-1-37

Chair Pattie Johnston invited Mr. McTarnaghan up to explain what he is seeking. Mr. McTarnaghan stated the shed is 20 feet up on the bank so it is out of the way that no one driving on West Lake Road could possibly run into it.

The board reviewed the five questions and included in file:

1. Will an undesirable change be produced in the character or the neighborhood or will a detriment to nearby properties be created by granting the variance?
No, it is no closer to the road than other buildings in the neighborhood.
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance?
No, due to the topography of the site there is no other place to put it.
3. Is the requested variance substantial?
No, it is less than 50%
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?
No, it is useful for putting yard materials in.
5. Is the alleged difficulty self-created?
Yes, applicant wanted the shed.

No further SEQR is needed because #12 on the type 2 action form.

Michael Musumeci made the motion to grant the approval.
Abigail Gulesano seconded the motion.

All in favor: Abigail Gulesano- AYE, Dave Tozier- AYE, and Michael Musumeci- AYE
Opposed: None
Abstained: None
MOTION PASSED

The necessary form was signed and given to the Town Clerk to be processed.

All in favor: Abigail Gulesano- AYE, Dave Tozier- AYE, and Michael Musumeci- AYE

Opposed: None
Abstained: None
MOTION PASSED

4. Consider Zoning Board Past Minutes from March 18, 2024:

The above was next considered for approval/comments.

Abigail Gulesano made the motion to approve the minutes as presented, David Tozier seconded the motion.

All in favor: Abigail Gulesano- AYE, Dave Tozier- AYE, and Michael Musumeci- AYE
Opposed: None
Abstained: None
MOTION PASSED

5. CEO Report

CEO Maxwell has nothing to report.

6. Other Business

None.

7. Adjournment:

There being no further business to conduct, chair Pattie Johnston adjourned the meeting at 8:01 PM.
Michael Musumeci made the motion to adjourn the meeting.
Abigail Bean seconded the motion.

All in favor: Abigail Gulesano- AYE, Dave Tozier- AYE, and Michael Musumeci- AYE
Opposed: None
Abstained: None
MOTION PASSED

Submitted by,

Trista A Tozier

Trista A Tozier
Zoning Board Secretary