

**Meeting Minutes
Town of Wheatland
Zoning Board of Appeals
June 4, 2024**

The Zoning Board of Appeals of the Town of Wheatland held a meeting on Tuesday June 4, 2024, at 7:00 P.M. in the Wheatland Municipal Building, 22 Main Street, Scottsville, NY.

Mike Grasso, Chairman, called the meeting to order at 8:30 P.M and roll was taken.

Board Members

Present: Joe Burns, Laura Michaels, Tim Steves, Kane Gascon,
Robert Hatch, Mike Grasso

Absent:

Others Present:

Brandi Spezzano, Property Owner
Sean Sullivan, Building Inspector
Eric Stowe, Town Attorney

First order of Business:

Chairman Grasso asked for a motion to accept the Minutes from the January 2, 2024, meeting. The meeting minutes were approved as submitted. Joe Burns made such a motion; Kane Gascon seconded the motion. The vote was as follows:

Laura Michaels -	Aye
Robert Hatch -	Aye
Joe Burns -	Aye
Tim Steves -	Aye
Kane Gascon -	Aye
Mike Grasso -	Aye

With all members voting in favor, the motion was carried.

Second Order of Business:

The application of Brandi Spezzano to seek an area variance of Article II, Sections 130-9, 130-11 of the Code of the Town of Wheatland, to build a front porch with roof that will encroach on the required front setback in an R-16 zoning district. The subject parcel is 702 State Street Mumford, NY 14511. Tax I.D. #208.12-1-42.

Ms. Spezzano is seeking an area variance to allow her to place a front porch with a roof onto the front of her home. She is looking to replace the existing worn front deck with a new, larger deck (12' X 16") with a covered roof. The roof/deck will not be permanently attached to the house but will be built appropriately and per code requirements. Her home is a mobile home. She stated that the existing deck is worn, unsafe with loose screws and boards. Replacing the current deck with a new deck and roof will be a major improvement to the character of the property. Ms. Spezzano stated that there will be no environmental effect. She stated that as newer homeowners to this property, they are eager to continually improve the aesthetics of the property, thus increasing the value of nearby properties as well.

Chairman Grasso asked Building Inspector, Sean Sullivan his thoughts on this request. Sean stated that he knows that area very well, he lived in Mumford for four years. He thinks that this would be a nice improvement. He stated that if you look at the houses

2 | Town of Wheatland Zoning Board of Appeals

down this road, they are all close and pre-existing to the 35' front set-back. He stated that the neighbor's house is even closer to the road.

With no further questions from the Board the floor was opened for public comment at 8:32 P.M.

There being no public before the board, public comment was closed at 8:35 P.M.

The Board members considered and discussed the details and effects of the requested variance.

The Town of Wheatland Zoning Board of Appeals as authorized under Wheatland Town Code Section 130-66, after careful consideration and review of the evidence presented and having heard all the facts hereby, approves the application, with conditions of Brandi Spezzano. This motion was based upon the following finding of facts:

- 1.) The granting of this area variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties, demonstrated by: improve appearance, still be further from the front line, the shed, and neighboring properties.
- 2.) The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance, as shown by: front porch at front entrance.
- 3.) The requested area variance is substantial as evidenced by: requested relief is in the neighborhood of 40% of required front set back.
- 4.) The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district as shown by: minor structure at an existing residence, with no grading or utilities required.
- 5.) And that the condition has not been self-created, as shown by: pre-existing sub-standard setback to house.
- 6.) Further that this variance is subject to the following conditions: obtain a building permit before construction.

Motion to approve the variance with conditions was made by Robert Hatch and seconded by Tim Steves. The vote was as follows:

Tim Steves	-	Aye
Robert Hatch	-	Aye
Joe Burns	-	Aye
Kane Gascon	-	Aye
Laura Michaels	-	Aye
Mike Grasso	-	Aye

All were in favor and the motion was carried.

There being no further business, Tim Steves entertained a motion to adjourn. Kane Gascon seconded the motion. The vote was unanimous. The meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Lisa J. Bates

Lisa J. Bates
Recording Secretary