



CITY OF GENEVA ZONING BOARD OF APPEALS

MEETING MINUTES

April 27, 2021 at 7:00 PM VIA ZOOM

1. **Roll Call:** Joseph Commesso, Andrew Williams, Robert Meyer, Nicholas Gillotti, Daniel Ofstein
Excused:
Also Present: Neal Braman, Clr. Noone

2. **An Area Variance for the property owner at 32 Avenue B (Tax ID# 90.72-2-15) for relief of house setback requirements.**

Jeff Greco has an existing garage located at 32 Avenue B. It is approximately 70 years old and is in a deteriorated condition. He would like to demolish the current garage and put another garage in the same location on the property. There is no room to build garage in any other place on the property and due to its age and condition, it is cheaper to replace than attempt to fix.

The proposed garage would be 25x30 and can fit 2 vehicles. It is about 3ft. wider than the current one.

No public comment.

Mr. Commesso asks if the 3ft. extension is to the east. Mr. Greco responds that yes; the extension would be directly into his own backyard and would not affect any neighboring property.

Action Taken: Mr. Commesso makes a motion to approve the area variance for the property owner at 32 Avenue B (Tax ID# 90.72-2-15) for relief of house setback requirements. Mr. Williams seconds.

*Roll was called and the motion was **APPROVED** unanimously (5-0).*

3. An Area Variance for the property owner at 21 Lafayette Ave (Tax ID# 104.34-2-14) for relief of house setback requirements.

Missy Kennedy, owner of 21 Lafayette Ave, is looking to acquire 6 ft. of land east of her property that currently belongs to her neighbor Mike Williams at 19 Lafayette Ave. Mr. Williams is willing to give Ms. Kennedy the land at no cost as it is located on her property's side of Mr. William's fence and Ms. Kennedy has kept it landscaped for over 40 years.

Ms. Kennedy wants to acquire the land to protect it from any foundry remediation and preserve the plantings and landscaping.

Mr. Meyer wants to make sure that no payment is actually changing hands for the land. Ms. Kennedy confirms this. Mike William's mother wanted to give Ms. Kennedy the land for no cost as she has been the one to take care of it. Both parties are using the same lawyer to draw up the paperwork and are in complete agreement.

Mr. Meyer also asks if a fence will be put back up. Ms. Kennedy responds in the affirmative, a chain link fence will be reconstructed as part of the foundry remediation once the legal agreements have been completed.

To clear up any confusion as to why this application has to come before the ZBA, Mr. Braman states the property is going through a change of setbacks – a 0 setback on the Kennedy property to a 0 setback on the Williams property and will create a non-conforming lot. This application will also go before the Planning Board for approval on a subdivision. Mr. Braman initially suggested a 3 ft. equal split of the property; however, Ms. Kennedy was within her rights to go before the ZBA & Planning Board in an attempt to acquire the full 6 ft.

Mr. Williams asks Ms. Kennedy if she understood the suggested 3 ft. split. Ms. Kennedy responded that she did understand, however, many of her plantings are mature ground coverings that extend the full 6 ft. so 3 ft. is not enough space. If she were to only take the 3 ft., foundry remediation would still take place on the neighboring 3 ft.

Action Taken: Mr. Meyer makes a motion to approve the area variance for the property owner at 21 Lafayette Ave (Tax ID#104.34-2-14) for relief of house setback requirements. Mr. Ofstein seconds.

*Roll was called and the motion was **APPROVED** unanimously (5-0 excused).*

4. Approval of minutes from March 2021 and August 2020, sent electronically.

Action Taken: Mr. Williams makes a motion to approve the March 2021 minutes as written. Mr. Ofstein seconds.

*Roll was called and the motion was **APPROVED** unanimously (5-0).*

Action Taken: Mr. Commesso makes a motion to approve the August 2020 minutes as written. Mr. Ofstein seconds.

*Roll was called and the motion was **APPROVED** (4-1 abstain).*

Aye: Mr. Commesso, Mr. Meyer, Mr. Gillotti, Mr Ofstein

Nay:

Abstain: Mr. Williams

5. Questions or comments.

Mr. Commesso expresses his wish to remain ZBA Chairman. Board members express support and agree unanimously.

Mr. Gillotti makes a request to have applicants add their phone number to applications as a form of contact for board members.

Mr. Williams asks that board members remember their verbiage when making motions. Mr. Braman states that training is planned in the next month or 2 as it will be beneficial to current members and the new members joining the board.

6. Adjourn

Action Taken: Mr. Commesso makes a motion to adjourn at 7:44PM. Mr. Williams seconds.

*Roll was called and the motion was **APPROVED** unanimously (5-0).*

Respectfully submitted by Lauren Karlsen, Administrative Aide