

**TOWN OF PARMA
ZONING BOARD OF APPEALS
APRIL 27, 2010**

Members Present: Tina Brown
Veronica Robillard
Stephen Shelley
Tim Thomas
Jim Zollweg (alternate)

Members Excused: Dean Snyder

Others Present: Jack Barton

Public Present: See attached list

The meeting was called to Order by Chairperson Robillard, at 5:30 p.m. She explained the function of the ZBOA and the decision-making process. She noted that this is a five-member board and a quorum of three is required to pass a motion.

PUBLIC HEARINGS

1. GENE MAZZOLA – 5010 RIDGE ROAD WEST

Application of Gene Mazzola, owner, for two area variances at 5010 Ridge Road West. Applicant is proposing to convert the existing residence to a 157 square feet insurance office with an apartment as an accessory use on the same floor. Applicant is requesting relief from Town Zoning Article 6, subsection 165-39-E2, which states that principal buildings in a General Commercial District shall contain an area of not less than 1,000 square feet and subsection 165-39.C.3, which states in part that the building may include a residence as an accessory use providing that the living unit shall not be on the same floor of the building with the commercial use. This property is currently zoned General Commercial (GC).

John Sciarabba, of Landtech, stated he represented Gene Mazzola in explaining this application. He expressed his appreciation for this special meeting. He provided a history of this application, which was approved in September 2009 for the exact same variances. He explained that this application was reviewed by the Planning Board in October, 2009, but they had to return to the Planning Board in January for exterior renovation approval. He provided a timeline of approvals, with a delay of 7 weeks for the Monroe County Department of Planning, which in turn delayed the Planning Board approval process. Consequently, they missed the 6 month deadline to submit the site plan approval and obtain a building permit. He noted that they needed these variances approvals in time to present their application at the May 17th Planning Board meeting and hopefully allow them to finish this project.

Public Comment: None.

Board Discussion: Chairperson Robillard reported that notifications were in order. Jack Barton reported that the request was returned by Monroe County as a matter of local determination, as they did at the original hearing in September of 2009. Jack Barton reported this is a Type II SEQR with no further action required.

Following discussion, a **Motion** was made by Tim Thomas to approve the application of Gene Mazzola, owner, for two area variances at 5010 Ridge Road West to convert the existing residence to a 157 square feet insurance office with an apartment as an accessory use on the same floor. This grants relief from Town Zoning Article 6, subsection 165-39-E2, which states that principal buildings in a General Commercial District shall contain an area of not less than 1,000 square feet and subsection 165-39.C.3, which states in part that the building may include a residence as an accessory use providing that the living unit shall not be on the same floor of the building with the commercial use. This property is currently zoned General Commercial (GC).

In making this Motion to approve, I referred back to the verbiage in the Motion on September 17, 2009 in its entirety. There were no changes in the substance of the request or the nature of the requested variances in this new application.

In conjunction with that, this special meeting of the ZBOA was held to reconsider this application again as a result of the variances becoming automatically revoked due to the site plan not being requested within the 6 month deadline after the original approval in September 2009. This delay was the result of the applicant not receiving information back from the Monroe County Department of Planning in a timely fashion. The sequence of work on this building required approval of these variances to execute the required renovation and warranted this special meeting.

Seconded by Stephen Shelley. **Motion unanimously carried (5-0)** (Ayes: Tina Brown, Veronica Robillard, Stephen Shelley, Tim Thomas, Jim Zollweg; Absent: Dean Snyder)

ADJOURNMENT

There being no further business, a **Motion** was made by Tim Thomas, seconded by Tina Brown, to adjourn the meeting at 5:55 pm. **Motion unanimously carried (5-0)** (Ayes: Tina Brown, Veronica Robillard, Stephen Shelley, Tim Thomas, Jim Zollweg; Absent: Dean Snyder)

Respectfully submitted,
Diane Cook, Recording Secretary