

# Town of Manchester Zoning Board of Appeals Meeting Minutes

## December 5, 2023 – 7:00pm

**Present:** Chairman Kenneth Blazey; Board members Jessica Hemenway, Michael Blazey, and Leonard Bolton; Code Enforcement Officer Steve DeHond; and Secretary Laurel Pitcher.

**Absent:** Board Member Jacob Maslyn.

**Also Present:** Darlene Hessney, Isaac Hessney, David Davenport, and Joe Abbott.

### **Application #4654-23:**

Appeal #4654-23 submitted by David Davenport who is requesting an area variance to build a pole barn in the side yard. The front of the pole barn would be 12' in front of the home located at 735 Faas Rd in an AG district pursuant to Chapter 325 Section 325-40.2-A.2.

Chairman Kenneth Blazey reviewed the public hearing notice. 12 residents were notified of the hearing, and none were in attendance.

David Davenport began by giving the Zoning Board of Appeals an overview of the project. He stated that several neighbors have barns in similar places to his proposed plan, and he also said that any other location on the property would not be a suitable location based on the well and septic lines already on the property. Mr. Davenport also said that this would not have a negative impact on any neighboring properties.

Chairman Blazey read a letter submitted by neighbors Lee and Cheryl Sanders stating that they believe the proposed location is the best location for such a structure. They also stated that they do not believe it would create any aesthetic issues to place the pole barn there.

No further questions were had at this time, so Kenneth Blazey and the Board Members reviewed the Area Variance Findings and Decision Form. Those questions are listed below.

1. Whether undesirable change would be produced in character or neighborhood or detriment to nearby properties; the Board answered no.
2. Whether benefit sought by the applicant can be achieved by a feasible alternative to the variance; the Board answered no.
3. Whether the requested area variance is substantial; the Board answered no.
4. Whether the variance would have an adverse impact on the physical or environmental conditions in the neighborhood; the Board answered no.
5. Whether the alleged difficulty was self-created; the Board answered yes.

A motion was made by Jessica Hemenway to approve the area variance #4654-23, submitted by David Davenport to build a pole barn in the side yard. Motion seconded by Michael Blazey. All voted "Aye." Motion carried.

### **Application #4652-23:**

Appeal #4652-23 submitted by Joseph Abbott who is requesting a use variance to operate a motorcycle repair business in an existing pole barn on property located at 4305 St Rt 96 in an AG district pursuant to Chapter 325 Section 325-25-3 permitted uses.

Chairman Kenneth Blazey reviewed the public hearing notice. 7 neighbors were notified of the hearing, and 2 were in attendance.

Chairman Blazey reviewed Ontario County's comments at this time. Those are listed below:

- How will waste and materials be disposed of?
  - Joe Abbott has a company in Rochester he plans to use for this purpose. He also talked about disposing of tires at the Town of Manchester transfer station.
- Will you be hiring employees?
  - Not in the foreseeable future.
- Will there be a sign at the road?
  - Not in the foreseeable future.
- What will your hours of operation be?
  - By appointment in the 9-5 window.

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Chairman Blazey asked if Joe Abbott plans on doing this part-time. Joe answered that he plans to do it full-time.

Leonard Bolton asked if there would be easy driveway access, to which Mr. Abbott said that it wouldn't be a problem since tractor trailers can get through without issue.

No further questions were had at this time, so Kenneth Blazey and the Board Members reviewed the Use Variance Findings and Decision Form. Those questions are listed below.

1. Whether the applicant can demonstrate factually, by dollars and cents proof, an inability to realize a reasonable return under existing permissible uses; the Board answered yes.
2. Whether the alleged hardship relating to the property in question is unique and does not apply to the substantial portion of the district or neighborhood; the Board answered no.
3. Whether the requested use variance, if granted, will alter the essential character of the neighborhood; the Board answered no.
4. Whether the alleged hardship was self-created; the Board answered yes.
5. A motion was made by Leonard Bolton to approve the use variance #4652-23, submitted by Joseph Abbott to operate a motorcycle repair shop in an existing pole barn. Motion seconded by Kenneth Blazey. All voted "Aye." Motion carried.

## **Previous Minutes:**

A motion was made by Kenneth Blazey to approve the minutes from the last meeting which took place on August 1, 2023. Motion seconded by Jessica Hemenway. All voted "Aye." Motion carried.

At this time the meeting was adjourned at 7:24pm.

Respectfully submitted,

Kenneth Blazey  
Chairman, Zoning Board of Appeals

Laurel Pitcher  
Recording Secretary