

# Minutes of the Town of Manchester Zoning Board Meeting of February 2<sup>nd</sup>, 2021 – 7:00pm

**Present:** Scott DeCook, Michael Blazey, Jessica Hemenway, Leonard Bolton - members, Kenneth Blazey - Chairman, and Steve DeHond - Code Enforcement Officer and Jill Havens - Recording Secretary

**Absent:** Jill Havens - Recording Secretary

**Also, present:** George Michael Schaertl & Chavay Passamonte – Applicants; Lawrence Schroo, Jr. and Mike DeMarco

Chairman Blazey introduced the board members and the applicants were informed of their right to appeal the decision of the board within 30 days.

**Appeal 4613-21:** George Schaertl was present and requesting an area variance to construct a pole barn in the front yard of home, when code states it must be in the rear yard at property located at 4285 Shortsville Road, tax map no. 44.00-1-25.121 in a R-1 district pursuant to Chapter 325 Section 24-A

Chairman Blazey read the public hearing notice and application for the area variance. Twenty-five (25) surrounding property owners were notified of this hearing of which none were present.

Chairman Blazey reviewed the application and pictures submitted by the applicant.

**Chairman Blazey:** Anyone have any questions?

Hearing none, Chairman Blazey closed the public Hearing.

At this time the board reviewed the Area Variance Findings and Decision form. The ZBA, taking into consideration the five factors, finds that the benefit to the applicant **does not** impose a detriment to the neighborhood or community.

A motion was made by Mike Blazey to **approve** an Area Variance Appeal #4613-21 for George Schaertl to construct a pole barn in the front yard of home, when code states it must be in the rear yard at property located at 4285 Shortsville Road, tax map no. 44.00-1-25.121 in a R-1 district pursuant to Chapter 325 Section 24-A

The motion was seconded by Jessica Hemenway. All voted “Aye”. Motion carried.

**Appeal 4612-21:** Chavay Passamonte was present and has built a pond 65’ from the road right-of-way when code states 150’ and a sideline of 30’ when code states 50’, with no permit on property located at 1792 Pearl Street, tax map no. 46.00-2-8.000 in an A-1 district pursuant to Chapter 325 Section 42-C-1-2-3 and Chapter 325 section 75 – site plan review.

Chairman Blazey read the public hearing notice and application for the area variance. Ten (10) surrounding property owners were notified of this hearing of which two (2) were present.

Chairman Blazey reviewed the application and pictures submitted by the applicant.

Much discussion was held regarding why it was built without a permit. Mr. Passamonte apologized and stated that surrounding neighbors are all for the pond. Additional discussion was held regarding the safety precautions – ie. Berm, more trees, etc., which need to have more put into place.

Mike Blazey warned that by granting a variance the Town of Manchester is setting a precedence.

**Chairman Blazey:** Anyone have any questions?

Hearing none, Chairman Blazey closed the public Hearing.

At this time the board reviewed the Area Variance Findings and Decision form. The ZBA, taking into consideration the five factors, finds that the benefit to the applicant **does not** impose a detriment to the neighborhood or community.

# Minutes of the Town of Manchester Zoning Board of Appeals Meeting of February 2nd, 2021.

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A motion was made by Jessica Hemenway to **approve** an Area Variance Appeal #4612-21 for Chavay Passamonte who has built a pond 65' from the road right-of-way when code states 150' and a sideline of 30' when code states 50', with no permit on property located at 1792 Pearl Street, tax map no. 46.00-2-8.000 in an A-1 district pursuant to Chapter 325 Section 42-C-1-2-3 and Chapter 325 section 75 – site plan review, with the conditions that existing trees must stay & the berm needs to be built to 4' high with the trees.

The motion was seconded by Mike Blazey. All voted “Aye”. Motion carried.

## **Previous Minutes:**

A motion was made by Mike Blazey to approve the minutes from the last meeting which took place on August 4<sup>th</sup>, 2020. The motion was seconded by Scott DeCook. All voted “Aye.” Motion carried.

Meeting adjourned.

Respectfully submitted,

Kenneth Blazey  
Chairman, Zoning Board of Appeals

Jill Havens  
Recording Secretary