

Chairperson Michael Kunzer called the regular meeting of the Zoning Board of Appeals of the Town of Walworth to order at 7:00 PM. The members present were Michael Kunzer, Tiffany Paine-Cirincione, Christine Kubida, and Becky Appleman. Brett Malafeew, Code Enforcement Officer; and Norm Druschel, Building Inspector, were also present. Charles Buss, Zoning Board member, was not present. The meeting was held at the Walworth Town Hall, accessible live to the public.

Chairperson Kunzer asked if there were any corrections to the minutes of December 5, 2022. Becky Appleman made a motion, seconded by Christine Kubida, to approve the minutes of December 5, 2022. All other members were in favor. Motion carried.

Chairperson Kunzer addressed the first item on the agenda.

1. Application of Kyle Reynolds of 2 Pembroke Drive, Penfield, NY seeking an area variance for relief from Section 180-12 (G)(2) R Districts: Single Family Residential Yard Requirements. Property is zoned R-Residential (Public Hearing)

Kyle Reynolds of 2 Pembroke Drive, Penfield, NY came forward to speak before the Board. Mr. Reynolds said he is seeking a 7.5-foot variance for the side setback at 1497 Route 441 on both sides of the lot. Ms. Appleman asked the applicant if he thought about turning the house or moving the house closer to the road and putting the barn in the back. Mr. Reynolds stated he wants to keep as far as possible from Route 441 because of the high speed limit, the noise level, and they need to make room for the septic system in the front yard. Mr. Reynolds said Don Lewis of D.H. Lewis Engineering PLLC did the preapproved plans for this lot, and Mr. Lewis will finalize the site plan once they get the house plans.

Chairperson Kunzer asked if Mr. Reynolds has gone before the Planning Board for final site plan approval. Mr. Reynolds said they are working on the house plans and then intend to go to the Planning Board. Mr. Reynolds said this is a mock plan, but it is pretty accurate. Mr. Reynolds said the width and location of the house may change slightly by feet. Ms. Paine-Cirincione said she is concerned since the prior approvals on this lot are more than 2 years old so the plan would need to be recertified by the Planning Board, and the Zoning Board cannot grant a variance without the actual dimensions. Chairperson Kunzer said this applicant should go to the Planning Board for site plan approval before a variance can be granted. Ms. Kubida said she sees that the applicant will need a few variances based on his proposed plan: both side setbacks and the pole barn's distance from the primary structure. Chairperson Kunzer said he doesn't see an issue with the 7.5-foot variance for the side setback, and he is more concerned about the 30 distance from the pole barn to the house.

Mr. Druschel said the barn cannot be in front of the house and has to be 30 feet from the primary residence unless it has a variance. Chairperson Kunzer asked if Mr. Reynolds plans to build the barn before the house. Mr. Druschel said Walworth Town Code does not allow the accessory structure to be built before the primary residence.

Chairperson Kunzer said no decision will be rendered at this meeting so the applicant can come back to the Zoning Board after going before the Planning Board.

Christine Kubida made a motion, seconded by Tiffany Paine-Cirincione, to adjourn the meeting. Chairperson Kunzer adjourned the meeting at 7:20 PM.

Respectfully submitted,

Barbara Goulette, Clerk