

**Village of Scottsville ZONING BOARD OF APPEALS Meeting**  
**Thursday May 12, 2022 at 7:00 pm**  
**Wheatland Municipal Building**  
**22 Main Street**  
**Unapproved Minutes**

**Zoning Board Members:**

Kevin Marks, Chairman  
Steve Cullum  
Patti Brandes  
David Domina  
Mark Smith

**Call to Order:** Kevin Marks called to order the regular meeting of the Village of Scottsville **Zoning Board of Appeals** at 7:01 pm in the Wheatland Municipal Building, 22 Main Street, Scottsville, NY 14546

**Pledge of Allegiance:**

**Roll Call:**

Kevin Marks  
Steve Cullum  
Patti Brandes  
David Domina  
Mark Smith

Also Present: Ginny Winter, Deputy Clerk  
Andy Fraser, Deputy Mayor  
John Mancuso, Attorney  
Lauren Baron, Attorney

Public: Ed Everts 2 Genesee St  
Branden Burger 6 Genesee St  
Various other residents

**Approval of Minutes:**

**Motion:** made by Mark Smith and seconded by Steve Cullum to approve minutes of the April 07, 2022 Zoning Board Meeting as submitted.

**Vote:** carries: (5 -0 )

Kevin Marks	Aye	Steve Cullum	Aye
Patti Brandes	Aye	David Domina	Aye
Mark Smith	Aye		

**Public before the Board**

**GUIDELINES FOR PUBLIC COMMENT:**

- The public may speak only during the Public Comment period of the meeting (limited to a total of thirty (30) minutes) and during any public hearing public comment section, or at such other time as a majority of the Board allows.
- Speakers must be recognized by the presiding officer.
- Speakers must limit their remarks to three minutes on a given topic.

- Speakers may not yield any remaining time they may have to another speaker.
- Board members may, with the permission of the chairman, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks must be addressed to the Board as a body and not to any member thereof.
- Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- Interested parties or their representatives may address the Board by written communications.

**6 Public Hearing for Special Use Permit as outlined in Chapter 170 Article IX of the zoning code**

Chairman Marks opened the public hearing by reading the notice from the Sentinel at      pm.

**Village of Scottsville  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that the Scottsville Zoning Board of Appeals will be holding a Public Hearing at the Wheatland Municipal Building, 22 Main Street, Scottsville, New York 14546 on May 12, 2022 at 7pm regarding review of a request for variance at 2 West Genesee Street, parcel ID# 200.06-1-44. Variance review to be done in accordance with the requirements outlined in Article X of the zoning code and variances in Section 170-54. Specifically, the request is for a variance from side setback for an accessory structure of 5 feet as specified by the Residential District Dimensional Requirements in Section 170-11.B, Table 170-11.2 (Chapter 170, Attachment 2).

All interested persons will be given an opportunity to speak for or against the above proposed legislation at the time and location set herein. Comments may also be sent via email to [villageclerk@scottsvilleny.org](mailto:villageclerk@scottsvilleny.org).

Public comment opened at 7:05 pm

Public Comment:

Brandon Burger, 6 Genesee St spoke advising Board he has no objection to any of the plans for 2 Genesee St and wants the variance to pass. No other public spoke

Public Comment closed and Board Comment opened at 7:07 pm

Board Comment:

Kevin Marks advised that Board was just made aware that the property would need to be subdivided and that application would need to go to the planning board with a full size maps before any building permit could be okayed. That would also require a public hearing. Mr. Everts was upset that he was not advised of this earlier and that the whole process is taking too long and will prevent his contractor from completion the work this year. Other people in the audience voiced similar views and did not understand why that public hearing could not be held this evening. Attorney John Mancuso explained that he just was hired by the Village as their attorney and just went overall the forms and that a application for subdivision and subsequent public hearing is needed prior to a building permit. That the zoning variance is a separate issue and can be concluded tonight if all is correct. Per NY Law the public must be notified 10 days prior to a public hearing on each separate law.

Public Hearing closed at 7:28 pm

**Motion** made by Kevin Marks and seconded by Mark Smith to issue a variance from side setback for an accessory structure of 5 feet as specified by the Residential District Dimensional Requirements in Section 170-11.B, Table 170-11.2 (Chapter 170, Attachment 2) conditional on subdivision approval by the Planning Board of Scottsville.

**Vote:** Carries (5 -0 )

Steve Cullum	Aye	Patti Brandes	Aye
Kevin Marks	Aye	David Domina	Aye
Mark Smith	Aye		

**Motion:** made by Kevin Marks and seconded by Steve Cullum to appoint David Domina co-chair of the Zoning Board.

**Vote:** Carries (5 -0 )

Steve Cullum	Aye	Patti Brandes	Aye
Kevin Marks	Aye	David Domina	Aye
Mark Smith	Aye		

**ADJOURNMENT:**

**Motion:** Made by Mark Smith and seconded by David Domina to adjourn the meeting at 7:32 p.m.

**VOTE:** carries: (5 -0 )

Kevin Marks	Aye	Steve Cullum	Aye
Patti Brandes	Aye	David Domina	Aye
Mark Smith	Aye		

*Ginny Winter*

Ginny Winter  
Deputy Clerk