



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue
Elmira, NY 14904

*Minutes Approved by Board of Appeals
April 19, 2017*

ZONING BOARD OF APPEALS

PUBLIC HEARING-JOHN BOWER
AND

PUBLIC HEARING-NIXON PEABODY-ROBERT BURGDORF
WEDNESDAY, MARCH 15, 2017
7:00 PM

Item No. 1 - Call to Order

Attendance

Board Members Present:

James Gensel, Chairman
Daniel Williams, Vice Chairman
John Arikian
Justin Faulkner
Susan Silvers, Alternate Member

Others Present:

Bonnie Balok, Secretary-Zoning Board of Appeals

Others Absent:

Peter Rocchi, Town Code Enforcement Officer
Leslie Mauro, Town Attorney
Deborah Eames

Item No 2 – Reappointment of Board Member Justin Faulkner

Recommendation to Town Board - Reappointment of Justin Faulkner to Serve on ZBA

Mr. Faulkner was appointed to the ZBA on February 11, 2014 to fill the unexpired term of Mr. Janeski. Mr. Faulkner's term expires April 1, 2017. Mr. Arikian made a motion to recommend reappointment of Mr. Faulkner; seconded by Mr. Williams. Unanimously approved to send the reappointment recommendation to the Southport Town Board.

Item No. 3 - Approval of Minutes of February 15, 2017

Ms Silvers made a motion to approve the minutes of February 15, 2017; seconded by Mr. Faulkner. The minutes of February 15, 2017 were approved. Mr. Williams abstained (*Absent from February meeting*).

Item No. 4 - New Business

Public Hearing – John Bower

Attendance: Applicant -John Bower Absent

Chairman Gensel opened the public hearing for John Bower; 172 Old Ithaca Road, Horseheads, New York, 14845, regarding 1801-Pennsylvania Avenue, Pine City, New York, Tax Map 127.00-1-24, zoned AR, 7:10 p.m. concerning an area variance to divide the parcel into two (2) lots which is less than the required one hundred fifty foot (150') lot width per Section 525-24-Bulk and Density Control Schedule, and with no one for or against the proposal in attendance, and Mr. Bower not being present, the Board discussed suspending the meeting until next month. Mr. Arikian made a motion to suspend the meeting until April 19, 2017; Ms. Silvers seconded the motion. Board unanimously approved suspending Mr. Bower's public hearing until April 19, 2017 at 7:00 p.m., or as soon thereafter as it can be heard, at the Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York.

Public Hearing Adjourned: 7:12 pm.

Item No. 4 - New Business (continued)

Public Hearing – Nixon Peabody-Robert Burgdorf

Attendance: Applicant Robert Burgdorf Absent

Chairman Gensel advised the applicant requested the public hearing be postponed due to weather conditions. Therefore, the public hearing will be tabled and placed on the agenda for the April 19, 2017 meeting. A public hearing notice will be sent to the applicant and arrangements for publication of this notice will be completed by the applicant. (*Applicant: Nixon Peabody – Robert Burgdorf, 1300 Clinton Square, Rochester, New York, 14604, regarding 159 Bartholomew Road, Pine City, New York, York, Tax Map 117.00-1-30-1, zoned AR, concerning an area variance to build a one hundred sixty foot (160') wireless tower which exceeds the maximum allowable height of one hundred twenty feet (120') as per Town Code, Section 525-109 D 2).*)

A brief discussion took place concerning the exhibits provided by Verizon with Mr. Arikian recusing himself from this discussion based upon business connections with a cell tower company.

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Public Hearing Adjourned: 7:15 pm

Item No. 5 - Old Business

No old business

Item No. 6 - Discussion

No further discussion.

Item No. 7 – Adjournment

Mr. Williams made a motion to adjourn; seconded by Mr. Faulkner. Adjournment unanimously approved.

Meeting Adjourned: 7:39 pm

- Original on File: Town Clerk
- C: Board of Appeals
- Town Board
- Planning Board
- Town Supervisor
- Town Clerk
- Town Attorney
- Town Assessor
- Town Code Enforcement Officer
- Applicant John Bower
- Applicant-Nixon Peabody-Robert Burgdorf

Prepared by:
Bonnie Balok, Secretary-Zoning Board of Appeals
March 16, 2017

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