



TOWN OF SOUTHPORT

1139 Pennsylvania Avenue
Elmira, NY 14904

*Minutes Approved
by Board of Appeals
December 20, 2017*

ZONING BOARD OF APPEALS

INFORMATIONAL HEARING

DAVID BOWMAN

WEDNESDAY, SEPTEMBER 20, 2017

7:00 PM

Item No. 1 - Call to Order

Attendance

Board Members Present: James Gensel, Chairman
Daniel Williams, Vice Chairman
John Arikian
Deborah Eames
Justin Faulkner

Susan Silvers, Alternate Member

Town Attorney Absent: Leslie Mauro

Others Present: Peter Rocchi, Town Code Enforcement Officer
Bonnie Balok, Secretary-Zoning Board of Appeals

Item No. 2 - Approval of Minutes of July 19, 2017

Mr. Williams made a motion to approve the minutes of July 19, 2017; seconded by Mr. Faulkner. Ms. Eames abstained from voting due to her absence at the July 19, 2017 hearing. The minutes of July 19, 2017 were approved.

Item No. 3 – New Business

Informational Hearing – David Bowman

Attendance: Applicant David Bowman

Chairman Gensel called the hearing to order and advised this is an informational hearing for David Bowman, 82 Mt. View Drive, Pine City, NY 14871, concerning an area variance to build a garage in the required front yard setback as per Section 525-26-Special Requirements relating to front yards.

Mr. Bowman explained there is a ten foot (10') to twelve foot (12') drop where the trees are on this site; the electric is being moved up to the edge of the drive and the septic is there too; not digging into bank forty three feet (43') to edge of road, but this could be more. Size of the building will be eighteen foot (18') by thirty three foot (33'), basically to be used for storage. Further, because he is a logger he may have to store hydraulic oil from time to time; the building will be used for business and residential – a little of both. Mr. Bowman further explained a garage that is eighteen feet (18') wide is not a two (2) car garage; under six hundred ninety feet (690'). Mr. Bowman advised he has owned the property for eight (8) years, and he has a business address in the Commonwealth of Pennsylvania where he keeps equipment, trucks and oil, and also stores oil at Bradley Farms.

Discussion took place concerning current conditions of the property, possible code violations and an accumulation of materials, lack of improvements on the site, and the five (5) area variance questions to be answered if going forward with a public hearing, (1. Undesirable change? 2. Benefit sought? 3. Variance substantial? 4. Adverse affect? 5. Self-created?)

Further, the request involves a measurement of forty three feet (43') off the paved surface and the area was measured at fifteen feet (15') off the paved surface; therefore, looking at twenty eight feet (28') feet versus forty feet (40').

Item No. 3 – New Business (continued)

Discussion continued concerning the need for a survey to reduce the risk of potential measurement/construction location errors, as well as the slope and side of the road areas. Further discussion centered on visual conditions of the property and the importance of cleaning up the site, renovating the current building with siding and roofing. Based upon Mr. Bowman's decision to continue with his plan to renovate the property with siding and roofing, before constructing a garage, Mr. Bowman explained he would prefer not to go forward with a public hearing until such time as he has completed the siding and roofing on the existing house. Mr. Bowman will return for an informational hearing when the house updates are in place and site cleanup is more visible.

Informational Hearing – David Bowman

Adjourned: 7:54 p.m.

Item No. 4 - Old Business

1. Code books were discussed concerning updates.
2. Up-coming training was also discussed – Tuesday, October 24, 2017; held at the Town of Big Flats
2017 Training for Local Boards and Municipal Officials
Sponsored by: Chemung County Planning Department and Town of Big Flats
Presented by: New York State Department of State, Division of Local Government Services
3. New county planner has been appointed – Nicolette Wagoner

Item No. 5 - Discussion

No further discussion.

Item No. 6 – Adjournment

Mr. Williams made a motion to adjourn; seconded by Ms. Eames. Adjournment unanimously approved.
Meeting Adjourned: 8:00 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: David Bowman

Bonnie Balok, Secretary-
Zoning Board of Appeals,
September 21, 2017

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by Board of Appeals
December 20, 2017*