

Chairman Bader moved on to the four-part test. This is a request for an Area Variance and the board will be weighing the benefit of the variance to the applicant against the detriment of the variance to the neighborhood.

Beginning with question #1: *Show that the granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.*

Chairman Bader said there would be no detriment to nearby properties. The parking is currently tight, and granting the variance will improve the flow in the church parking lot.

Mr. Wilmer noted that the size of the remaining parcel would be in line with neighboring properties.

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Chairman Bader said an alternative not requiring a variance would not allow the church to square off the parking lot, or create a lot that is more in line with neighboring properties.

Regarding question #3: *Show that the requested variance is not substantial.*

Chairman Bader believes it is not substantial. There are several neighboring properties that have preexisting, non-conforming lot sizes.

Mr. Roberts agreed. It would only be a 7% reduction in the lot size.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Chairman Bader noted that there will be a loss of green space, so a small amount of permeable surface will be lost.

Mr. Wilmer reminded everyone that the church plans to take measures to keep water run-off away from neighboring properties.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Mr. Roberts feels the hardship is not self-created because the lot configuration and barn were preexisting.

Chairman Bader asked if there were any other comments or questions. Hearing none, he called for a motion.

Ms. Harris moved that the board Approve the application as submitted and presented for the following reasons:

- #1. The granting of the variance will not produce an undesirable change in the character of the neighborhood create a detriment to nearby properties.
- #2. The benefit sought by the applicant cannot be achieved by some other feasible means that would not require a variance.
- #4. The proposed variance will not have an adverse impact on the environmental conditions in the neighborhood.

Mr. Roberts seconded the motion, which *carried* with a roll call vote of (6-0):

Ryan Wilmer	Voting	YES
John Roberts	Voting	YES
Roger Brazill	Voting	YES
Julie Harris	Voting	YES
Susan Haller	Absent	
Carol Henshaw	Voting	YES
Joseph Bader	Voting	YES

ITEM 2 Application #22-151: 230 Prospect Street, PETER ELIA, requesting an Area Variance necessary to install a 490 SF solar ground unit. In accordance with the Zoning Ordinance, accessory structures are limited to 165 square feet.

Stephen Reed, of 3rd Roc Solar, represented the application via Zoom. The applicant is seeking enough solar energy to power their home. The location was chosen to be less visible to the neighbors. Installing it on the roof is not an option because of the way the house was designed. It is not conducive to solar generation. The neighbors have been notified and none had any objection.

Chairman Bader opened the Public Hearing. No one came forward. Mr. Brown said he was contacted by one neighbor, Peter Blackwood, of 235 Chapin Street. After learning more about the proposal, he had no objections. Chairman Bader asked if there were any other comments. Hearing none, he closed the Public Hearing.

Chairman Bader moved on to the four-part test. This is a request for an Area Variance and the board will be weighing the benefit of the variance to the applicant against the detriment of the variance to the neighborhood.

Beginning with question #1: *Show that the granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.*

Mr. Wilmer noted that the setbacks are sufficient and there have been no objections from neighbors.

Chairman Bader agreed.

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Chairman Bader pointed out that two 165 square foot accessory structures are permitted. Although, that would provide only 330 square feet, which would not generate enough solar power for the entire home.

Regarding question #3: *Show that the requested variance is not substantial.*

Chairman Bader believes it is a substantial request to increase from 165 square feet to 490.

Mr. Wilmer noted it is more than triple the permitted size.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Mr. Wilmer said that going green has a positive effect on the environment.

Ms. Henshaw noted that there will be no increase in run-off.

Chairman Bader agreed. There will be no change in permeable surface.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Mr. Roberts believes the rising costs of electricity have contributed to the hardship.

Mr. Wilmer agreed.

Chairman Bader asked if there were any other comments or questions. Hearing none, he called for a motion.

Mr. Wilmer moved that the board Approve the application as submitted and presented for the following reasons:

- #1. The granting of the variance will not produce an undesirable change in the character of the neighborhood create a detriment to nearby properties.
- #2. The benefit sought by the applicant cannot be achieved by some other feasible means that would not require a variance.
- #4. The proposed variance will not have an adverse impact on the environmental conditions in the neighborhood.

Mr. Brazill seconded the motion, which *carried* with a roll call vote of (6-0):

Ryan Wilmer	Voting	YES
John Roberts	Voting	YES
Roger Brazill	Voting	YES
Julie Harris	Voting	YES
Susan Haller	Absent	
Carol Henshaw	Voting	YES
Joseph Bader	Voting	YES

MISCELLANEOUS

Chairman Bader reminded the board of the previously tabled application #22-070: 345 Eastern Boulevard, Wegmans Food Markets, requesting Area Variances, necessary to display two, 9 square foot accessory ground signs associated with two electric vehicle charging stations. The Planning Commission’s review of the application for signage resulted in a denial, so the applicant has chosen to withdraw the area variance application at this time.

ADJOURNMENT

Mr. Roberts moved to adjourn the meeting at 7:28, seconded by Ms. Harris and carried by unanimous voice vote (6-0).