

**MINUTES OF ZONING BOARD OF APPEALS PUBLIC HEARING
AND MEETING HELD ON OCTOBER 05, 2005**

Present: Donald Mordue, Chairman
Michael Haley
William Henry

Absent: Rick Beaton, Tony Muscolino

Others: Bruce Tarzia

Recording: Rita J. Gurewitch, Deputy Clerk

Chairman Mordue called the public hearing to order at 7:30PM. He stated that this hearing was called to ask the Zoning Board of Appeals to consider granting an area variance due to subdivision of lot for Mr. Bruce Tarzia for 72 and 76 South Main Street, Manchester NY, to appeal provisions set in Schedule I and Schedule II which would require 15' setback from side property lines, 30' rear setback, minimum 100' lot width with a right of way easements. Proposed setbacks show only 4.2' to north property line, 3.6 ft rear setback, 89.12 ft lot width and no street access for rear dwellings.

The Legal Notice was read as published in the newspaper, The Daily Messenger.

There was no one present to speak against the proposal.

The public hearing was adjourned on motion.

The meeting was called to order at 7:37 PM by Chairman Mordue. After discussing the request, the following resolution was offered by Mr. Haley, seconded by Mr. Henry and carried:

WHEREAS, Bruce Tarzia has applied for area variances, due to a two-lot re-subdivision, to allow the proposed setbacks and lot width; and

WHEREAS, it does not appear to create a hardship for any area owners and no one opposed this request; and

WHEREAS, the members of this board are familiar with said location and the conditions and circumstances under which said variance is requested; and that the character of the area would remain unchanged; and

WHEREAS, a strict application of the village zoning law would result in a practical difficulty; and

WHEREAS, there is no adverse affect on the physical or environmental conditions in the neighborhood,

NOW, THEREFORE, BE IT RESOLVED, that this application be **GRANTED** to allow the area variances proposed and needed as previously stated.

BE IT FURTHER RESOLVED, that the new deed and property map will show 3 easements: 1) easement on Parcel A for access to Parcel B; 2) easement on Parcel B for overflow parking &/or deliveries for Parcel A; 3) present easement to tax map no.32.17-2-6.1 allowing ingress and egress, plus parking for two automobiles remains as written.

The above resolution was put to roll call vote, which resulted as follows;

Michael Haley	Voting	“AYE”
William Henry	Voting	“AYE”
Donald Mordue	Voting	“AYE”

The resolution was thereupon declared duly adopted.

The meeting was adjourned on motion at 8:00 PM

Respectfully submitted,

Rita J. Gurewitch
Deputy Clerk/Treasurer