

A regular meeting of the Zoning Board of Appeals of the Town of Sweden was held at the Town Offices, 18 State Street, Brockport, New York on Thursday, January 26, 2012, commencing at 6:30 p.m.

Members present: Frank Fisher, Pauline Johnson, Ken Reid, Mary Ann Thorpe

Absent: Peter Sharpe

Also present: Jason Squillante, John Betlem Heating & Cooling

Chairman Reid called the meeting to order, introduced the Board members and read the notice of public hearing for:

Application of Bonnie Fiacco, 17 High View Circle, Brockport, New York, for an area variance. Applicant proposes to install a standby generator on the side of the house leaving a 3.7 ft. setback to the property line instead of the required 10 ft. Town of Sweden Ordinance Chapter 175-26, Accessory buildings, states no barn or accessory building shall be constructed nearer to the highway line than is permitted for a residence building, nor to any side or rear lot line than 10 feet. The property is owned by Richard and Bonnie Fiacco, tax account number 084.05-10-60.

17 High View Circle

Mr. John Squillante addressed the Board. He is representing the applicants, Richard and Bonnie Fiacco. He explained the applicants are requesting an area variance for the installation of a standby generator due to Richard's health.

The proposed site would be the best location because the existing shed would hide it. Installing the generator the required five feet from the house on the front side of Sherry Lane would be an eyesore to the community.

The Clerk distributed pictures to the Board taken by the Town's Building Inspector showing the different possible locations. The Building Inspector's opinion is that the proposed location behind the shed is the best choice.

Mrs. Johnson asked for clarification of the proposed location. Mr. Squillante pointed to the location and added that the fence to the in-ground pool prevents the generator from being installed behind the house.

Mrs. Thorpe asked what was the decibel level of the generator. Mr. Squillante stated he believed it was 70 for a 7kw natural gas generator, which is similar to a lawn mower sound.

Mrs. Johnson asked, specifically, why the generator was needed. Mr. Squillante explained that Mr. Fiacco uses an electric wheelchair, and has an electric bed for help in getting in and out.

Mrs. Johnson asked the Clerk if the surrounding neighbors received notification of the public hearing, and if any neighbors called with questions or submitted any concerns in writing. The Clerk stated there were no questions or concerns from neighbors.

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Chairman Reid asked if one location would be more expensive over the other to install the generator. Mr. Squillante stated not really that electric is on one side and the gas meter is on the other side of the house. He also asked if snow buildup is a concern. Mr. Squillante stated no. Mrs. Johnson clarified that the applicants proposed location is aesthetically the best choice. Mr. Squillante agreed.

Chairman Reid confirmed that the generator is required to be five feet from the house or any other structures. Mr. Squillante agreed and stated there is plenty of room behind the shed.

Mr. Squillante explained that the generator will only run when the power is out and once a week for 10 minutes to recycle, but this can be regulated so it is done at the least bothersome time. He added that if the generator must be installed on the Sherry Lane side, shrubs would have to be planted around it so it will not be an eyesore. He's not sure how well the shrubs will grow on the exhaust side of the generator.

Mr. Fisher asked how much extra it would cost the applicants to run gas or electric at either of the proposed locations. Mr. Squillante stated approximately \$5/per ft., gas, and \$10/per ft., electric.

Chairman Reid asked if there were any other questions. There were none.

Chairman Reid closed the public hearing.

Moved by Mrs. Johnson, seconded by Mrs. Thorpe, that having reviewed the application of Richard and Bonnie Fiacco, 17 High View Circle, Brockport, New York, for an area variance to install a standby generator with a 3.7 ft. side setback is an unlisted action that will not have a significant impact on the environment.

Mr. Fisher – Aye
Mrs. Johnson - Aye
Mrs. Thorpe - Aye
Chairman Reid - Aye

Discussion followed.

Moved by Mrs. Thorpe, seconded by Mrs. Johnson, to table the motion until Thursday, February 2, 2012, at 6:30 p.m. in order to ask the Town Attorney for his interpretation regarding §175-9., Variances., (C)., Conditions, as it relates to change in property owners and health issues.

Mr. Fisher – Aye
Mrs. Johnson - Aye
Chairman Reid - Aye
Mrs. Thorpe - Aye

The meeting was adjourned by motion at 7:30 p.m.

Clerk to Zoning Board of Appeals