

**TOWN OF SWEDEN
Zoning Board of Appeals
Minutes – February 2, 2012**

APPROVED

A meeting of the Zoning Board of Appeals of the Town of Sweden was reconvened at the Town Offices, 18 State Street, Brockport, New York on Thursday, February 2, 2012, commencing at 7 p.m.

Members present: Frank Fisher, Pauline Johnson, Pete Sharpe, Mary Ann Thorpe

Absent: Chairman Reid

The Clerk stated that Chairman Reid recused himself from this application due to the fact that he is a neighbor of the applicants.

Moved by Mrs. Johnson, seconded by Mr. Sharpe, that Mrs. Thorpe be the Acting Chairperson for tonight's meeting.

Mr. Fisher – Aye
Mrs. Johnson – Aye
Mr. Sharpe – Aye
Mrs. Thorpe - Abstain

Acting Chairman Thorpe called the meeting to order.

17 High View Circle

Mrs. Thorpe stated at the last meeting the Board requested clarification from the Town Attorney regarding §175-9., Variances., (C)., Conditions, as it relates to change in property owners and health issues.

Attorney Bell's response was that a change in property owner cannot be a condition for approval because the variance runs with the land.

Mr. Fisher asked if the approval would be specifically for the generator. The Clerk stated yes, which means a new owner could not replace the generator with another accessory structure without applying for a new permit and/or variance.

The Board granted environmental approval at the last meeting.

Moved by Mrs. Johnson, seconded by Mr. Fisher, that the application of Richard and Bonnie Fiacco, 17 High View Circle, Brockport, New York, for an area variance to install a standby generator at the above-mentioned property with a side setback of 3.7 ft. be **approved** for the following reasons:

1. No one appeared for or against the proposed variance.
2. An undesirable change will not be produced in the character of the neighborhood.
3. The proposed variance is not substantial due in part that the Town code states the required distance from a structure for a generator is 5 feet while the manufacturer's specifications required distance from a structure is a minimum of 18 inches.

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4. The proposed variance will not have an adverse effect on the physical or environmental conditions of the neighborhood.

Mr. Fisher – Aye
Mrs. Johnson – Aye
Mr. Sharpe - Aye
Mrs. Thorpe - Aye

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

Clerk to Zoning Board of Appeals