

TOWN OF EDEN  
ZONING BOARD OF APPEALS  
2795 EAST CHURCH ST, EDEN, NY 14057

PUBLIC HEARING DATE: June 21, 2018

BOARD MEMBERS PRESENT: Kristin Kent, Chair  
Phil Muck  
Curtis Neureuter  
Doug Scheu  
Candice Pineau

BOARD MEMBERS EXCUSED: Joseph Winiecki, Drew Reidel

APPLICANT PRESENT: John Brockman

OTHERS PRESENT: Jesse Baker – Code Enforcement  
Officer

RE: **Appeal No. 2018-8 (Brockman)**  
**2695 Hemlock Road**

Ms. Kent called the hearing to order at 7:24 p.m. and read the Legal Notice published in the “The Sun”:

**Brockman: Application for a variance at 2695 Hemlock Road, under the Bulk Regulations in Code section 225-23, to allow construction of an addition which violates the Front Yard Minimum Requirement of 55’.**

Ms. Kent stated that our secretary, Ms. Diane Herzog, reviewed the Certified Mailings and they are in substantial compliance with our Code requirements. Ms. Kent then explained the order of hearing and appeal process. If the applicant does not like the decision of this board he can appeal to New York State Supreme Court; the decision of this board will be filed with the Town Clerk.

Ms. Kent then asked the applicant to give the board background about this addition. Mr. Brockman explained his company is growing and they need extra storage space, in the front of the parcel for easier access, and to deter theft. The addition would be 12’8” X 19’4”. It would be made from split-face blocks in a complimentary color, to match the existing building.

**Mr. Brockman was then asked questions by the board about the legal requirements for his requested variance as follows:** *(his answers are in italics)*

- **Would there be any undesirable change to your neighborhood?**

*No, this neighborhood is 75% commercial and 25% residential. All the buildings nearby are close to the street also. Some are even closer to the street than this request.*

- **Could the addition be placed anywhere else on your property?** *No – we have sand and stone supplies (materials) in the back of the parcel. Our driveway is on the side of the building so this addition will be more convenient for loading equipment.*
- **Will the addition impact the environment?** *No, the addition is not that big. There will be no change in our business there.*
- **Is this a self-created difficulty?** *The size of this parcel, and what we have to work with, was like this when we bought it.*

The board then discussed the plans, including the materials to be used for the addition, and the neighborhood, in more detail.

**Mr. Neureuter made a motion to approve the area variance at 2695 Hemlock Road to build the addition to extend 32’ from the right of way of Hemlock Road; it was seconded by Ms. Kent. All members voted “Aye” and the motion was approved. Ms. Kent –Aye, Mr. Neureuter –Aye, Mr. Muck –Aye, – Aye, Mr. Scheu – Aye and Ms. Pineau – Aye.**

The board asked Mr. Brockman to provide the Code Enforcement Officer an “as built” survey when the addition is completed, and he agreed to do that.

Respectfully submitted,  
Diane Herzog  
Secretary  
July 1, 2018

The above minutes were reviewed and approved on \_\_\_\_\_, 2018 by

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