

Present: Chairman Kevin Fahey; Board Members Chad Woodworth, Lauren Berger, Shawn Forrester, and Amy Ceronie; Town Code Enforcement Officer Shawn Grasby; Secretary Kaylee Leone

Others Present: None

CALL TO ORDER

Chairman Kevin Fahey called the meeting to order at 6:01 PM and led attendees in the Pledge of Allegiance.

REVIEW OF MINUTES

A motion to approve the March 25th, 2025, Joint Town and Village of Mount Morris Zoning Board of Appeals Meeting Minutes was introduced by Shawn Forrester and seconded by Chad Woodworth, and was voted on by members as follows:

- Aye: 5 (Berger, Ceronie, Fahey, Forrester, Woodworth)
- No: 0
- Abstain: 0

The motion was carried unanimously.

PUBLIC HEARING: APPLICATION IN TOWN FOR AREA VARIANCE

The public hearing opened at 6:03 PM concerning an area variance request submitted by Brandon M Brady Farms, Inc., located at Dutch Street Road, Mount Morris (Tax Map ID: 133.-1-14.-1). The board examined plans submitted by the applicant’s surveyor, indicating the proposed parcel comprises 2.33 acres excluding the highway right-of-way, and 2.498 acres including it. Current zoning code stipulates a minimum of 3 acres and 250 feet of road frontage; the parcel has 281 feet of frontage, thus meeting the frontage requirement but not the acreage.

The board discussed potential adjustments to the parcel's boundaries to reach the 3-acre minimum, focusing specifically on the side setback of approximately 65 feet from the solar fields. Town Code Enforcement Officer Shawn Grasby clarified that the Office of Renewable Energy Siting (ORES) mandates a 50-foot setback. The board considered adding ten feet from the south boundary line to meet zoning requirements more closely. Board member Amy Ceronie requested additional clarification regarding the rationale behind the current boundary delineation. Chairman Kevin Fahey emphasized that moving the property line might eliminate the need for a variance altogether.

Concerns were raised about the future possibility of constructing a house on what is and what would still be a non-conforming lot should the application be approved. Chairman Kevin Fahey clarified that any future building application would be denied under the current status, necessitating a new variance application to the Zoning Board of Appeals.

Chairman Kevin Fahey acknowledged the notices sent to property owners that were within 500 feet of the applicant’s parcel. The following responses to public notifications were recorded:

Responded:	Not Returned:
Carl Barnhardt	Paul Gorny
Didas Family Limited Partnership	Robert Lambert
Robert Donegan	Clayton Ross II
John Hall	The People of the State of New York
Nathaniel Hall	Daniel Vasile
Roxana McConnell	
Lynette Segee	Refused:
John Stokes	Benjamin Borntreger III
Town of Mount Morris	NYS Craig State School
Mt. Morris Dairy Farms, LLC	

April 24th, 2025, at 6:00pm | Mount Morris Town Hall | 103 Main Street, Mount Morris NY

Due to unresolved questions regarding boundary adjustments and lack of representation from the applicant or associated representatives, the public hearing was suspended at 6:18 PM.

Board Member Shawn Forrester moved to table the discussion and keep the public hearing open until more information could be provided. Chairman Fahey seconded the motion, and it was voted on by members as follows:

Aye: 5 (Berger, Ceronie, Fahey, Forrester, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

The board decided the solar company involved should also be notified of the situation to ensure compliance with any required setbacks related to the solar fields.

ADDITIONAL DISCUSSION

Chairman Kevin Fahey stated that no further updates had been received from Frazier regarding previous inquiries. Chairman Fahey also stated that the Main Street property owner who was previously looking for a variance related to multi-family apartment parking is no longer seeking one as she is renting the lower half of her property to a commercial business.

The Board noted that the Village recently hired a part-time Code Enforcement Officer from Leicester, who was described as currently handling only building permits. Concerns were raised by Board members about the limited capacity and authority this officer might have, given the range of code enforcement issues the Village faces, such as zoning compliance and inspections related to permitting.

Board member Chad Woodworth brought his concerns to the board regarding a property at the corner of Trumbull Street and Clinton Street in the Village. Chad Woodworth explained that this property is a church that has been converted into apartments, and was previously issued a stop-work order for an additional unit in a garage. Despite the prior board's decision on the matter, recent observations confirm unauthorized occupancy of the unit. Chad Woodworth expressed concern and frustration over the lack of active enforcement and the potential liability the Village faces.

SETTING OF NEXT MEETING AND ADJOURNMENT

A motion to set the next meeting for Tuesday, May 13th, 2025, at 5:30 PM was introduced by Shawn Forrester and seconded by Chad Woodworth, and was voted on by members as follows:

Aye: 5 (Berger, Ceronie, Fahey, Forrester, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

With no further business, a motion to adjourn was introduced by Shawn Forrester and seconded by Amy Ceronie, and was voted on by members as follows:

Aye: 5 (Berger, Ceronie, Fahey, Forrester, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

The motion carried unanimously, and the meeting was adjourned at 6:34 PM.

Respectfully submitted,

Kaylee R. Leone

Joint Town and Village of Mount Morris Zoning Board of Appeals Secretary