

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

Others Present: Jim LaPiana, Counsel for Applicant Brady; Town Councilman Joe Rawleigh, Town Supervisor Dave DiSalvo

CALL TO ORDER

Chairman Kevin Fahey called the meeting to order at 5:30pm and led attendees in the Pledge of Allegiance.

REVIEW OF MINUTES

A motion to approve the April 24th, 2025, Joint Town and Village of Mount Morris Zoning Board of Appeals Meeting Minutes was introduced by Amy Ceronie and seconded by Chad Woodworth, and was voted on by members as follows:

Aye: 4 (Berger, Ceronie, Fahey, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

PUBLIC HEARING: APPLICATION IN TOWN FOR AREA VARIANCE

The board began discussing a public hearing that was previously opened at the April 24th, 2025, Zoning Board of Appeals (ZBA) meeting for a requested area variance submitted by Brandon M. Brady Farms, Inc., located on Dutch Street Road, Mount Morris (Tax Map ID: 133.-1-14.-1). Town Code Enforcement Officer Shawn Grasby presented details of the variance application that had initially been submitted as a subdivision request. The application was denied due to insufficient acreage, thus requiring an area variance. Per ZBA request, the parcel size was increased from 2.38 acres to 2.675 acres, and all setbacks were adjusted to 20 feet. Officer Grasby noted that the applicant had no immediate plans or permits for building on this parcel and explained that future development would necessitate further variances.

Chairman Fahey reviewed the five criteria necessary for approving an area variance with the board members:

1. Will an undesirable change be produced in the character of the neighborhood, or a detriment to nearby properties be created by the granting of an area variance?
 - Lauren Berger: No, the character is defined by existing solar installations.
 - Amy Ceronie: No, the parcel is surrounded by solar installations.
 - Chad Woodworth: No, no further negative impact given the existing solar installations.
 - Kevin Fahey: No, neighborhood character remains unchanged.
2. Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than an area variance?
 - Lauren Berger: No, the applicant did all they could to create the proper parcel size.
 - Amy Ceronie: No, the applicant did all they could to create the proper parcel size.
 - Chad Woodworth: No, the applicant did all they could to create the proper parcel size.
 - Kevin Fahey: No, the applicant increased the parcel size as much as possible.
3. Is the requested area variance substantial?
 - Lauren Berger: No, the applicant increased the parcel size as much as possible.
 - Amy Ceronie: No, the applicant increased the parcel size as much as possible.
 - Chad Woodworth: No, the applicant increased the parcel size as much as possible.
 - Kevin Fahey: No, the applicant increased the parcel size as much as possible.
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or school district?

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- Lauren Berger: No, the school district isn't close and the parcel is surrounded by solar.
- Amy Ceronie: No, the school district isn't close and the parcel is surrounded by solar.
- Chad Woodworth: No, the school district isn't close and the parcel is surrounded by solar.
- Kevin Fahey: No, the school district isn't close and the parcel is surrounded by solar.

5. Is the alleged difficulty for the applicant self-created? (This consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance)

- Lauren Berger: No, the alleged difficulty is not self-created, and the applicant took as much away from the neighboring parcel as possible.
- Amy Ceronie: No, the alleged difficulty is not self-created, and the applicant took as much away from the neighboring parcel as possible.
- Chad Woodworth: No, the alleged difficulty is not self-created, and the applicant took as much away from the neighboring parcel as possible.
- Kevin Fahey: No, the alleged difficulty is not self-created, and the applicant took as much away from the neighboring parcel as possible.

A motion to approve the requested area variance for Brandon M. Brady Farms, LLC as amended was introduced by Amy Ceronie and seconded by Chad Woodworth, and was voted on by members as follows:

Aye: 4 (Berger, Ceronie, Fahey, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

OTHER BUSINESS

The board engaged in an extended discussion concerning local code enforcement. Concerns were expressed regarding enforcement officer staffing shortages, permit inspections, and oversight deficiencies. Potential issues, including unauthorized building activities and non-compliant properties, were highlighted. The board acknowledged the critical need for improved enforcement mechanisms.

Several resident complaints presented to attendees were discussed, including concerns about ongoing code violations and enforcement issues on various properties, including illegal apartments and neglected buildings. Specific addresses and properties were identified as areas of concern requiring immediate attention from code enforcement.

SETTING OF NEXT MEETING AND ADJOURNMENT

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

Aye: 4 (Berger, Ceronie, Fahey, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

The motion carried unanimously, and the meeting was adjourned at 5:48pm.

Respectfully submitted,
Kaylee R. Leone
Joint Town and Village of Mount Morris Zoning Board of Appeals Secretary