

Romulus, New York ZBA  
Minutes 9/23/2021

Roll Call: Present – Mike Elliott, Ken Battle, Neil Henninger (quorum)

Also in Attendance: Timothy Westlake and Mark Schott

Public Hearing – Motion by Neil to open the Public Hearing for Appeal for Timothy Westlake for 6803 County Rd. 129, Tax Map #20-1-12. Motion seconded by Ken and unanimous approved. Discussion included constraints on property owner to build new garage more than 15’ from property line. These include:

- Septic distribution box and field
- Sloping property to the East.
- A previous barn collapsed/demolished less than 6 months ago and was 1.5’ from property line.
- New garage will be built 6’-3” from the property line.

Motion by Neil to close the Public Hearing and seconded by Ken and unanimous approval.

Meeting called to order at 7:15 by Mike Elliott

Pledge of Allegiance

No previous minutes of meeting required approval.

Training Events

- Oct 7, there is a “land Use Training” accessible on-line.

Old Business: No old business

New Business:

- Mark Schott and the Board discussed procedures for him to obtain approval of his (Benjamin Austic, owner) request for a non-conforming sub-division. Mark intends to purchase the property from Mr. Austic if the sub-division is fully approved. The sub-division has been approved by both the Seneca County and Romulus Town Planning boards conditional upon approval of by the Romulus Zoning Board of Approval. Procedure requires:
  - Tim Dorn, Zoning Officer provide a written notice of Non-Conformity of the proposed sub-division.
  - With this written notice Mr. Austic is to submit a Notice of Appeal to the ZBA. The intention is that this paperwork be made available at the next ZBA meeting. Paperwork needs to be expedited by Mark in order to meet the Public Notice requirement.
- Appeals by Timothy Westlake for 6803 County Rd. 129, Tax Map #20-1-12.

- Based on the discussion during the Open Public Hearing the board review the five Area Variance Questions.
    - Q1, character of neighborhood; Answer – All members voted No.
    - Q2, options feasible; Answer – All members voted Yes
    - Q3, Substantial Variance; Answer – 66% variance is requested, all members voted Yes.
    - Q4, Adverse environmental effects; Answer – All members voted NO, with a notation that proper drainage is provided in the design.
    - Q5, Self-Created; Answer – Neil voted Yes, Ken voted No and Mike abstained.
  - Action of Board: The board approved the Appeal by vote 3-0.
  - Mike Elliott will prepare the variance approval documentation and submit it to the Town Clerk with a copy to.
- Ken asked about the definition of “grand fathering”; the words do not appear in the Zoning Ordinance. Neil indicated it is referred to as pre-existing or non-conforming in the ordinance. Ken will look it up.
  - Mike received a letter dated 8/27/21 from the law firm Campanell & Associates related to building cell towers in Romulus. Mike will forward the letter to the Town Board; it is not a ZBA issue.

Next scheduled meeting 10/21/2 at 7:00 in the Romulus Municipal Building. This is a tentative schedule based on the expectation of the Appeal for the Austic property.

Meeting adjourned at 7:50 P.M. Motion by Neil seconded by Ken and unanimously approved.