

**February 23, 2024
Special Zoning Board Meeting
9:00 a.m.**

Present: Scott Burg, Chairman
Bill Fries, ZBA Member
Tom Cole, ZBA Member

Others: NONE

Chairman Burg opened the meeting at 9:00 a.m.

On February 8, 2024 the ZBA denied Application Number 2024-0003, which requested an area variance for 10840 West Lake Road. In reviewing the matter subsequently with the Town Attorney, the board has been advised that the Town did not follow the proper procedure under General Municipal Law 239-m. That statute requires any zoning or planning action for property located within 500 feet of the boundary of a town or village or a state or county road be referred to the county planning board. The applicant's property is located less than 500 feet from State Route 54-A. The Town did not make that referral.

On a motion made by ZBA Board Member Fries, seconded by ZBA Board Member Cole and carried, all voting Aye on the following roll call vote to rescind the denial of application 2024-0003.

ZBA Board Member Fries:	Aye
ZBA Board Member Cole:	Aye
ZBA Chairman Burg:	Aye

On a motion made by ZBA Board Member Cole, seconded by ZBA Board Member Fries and carried, all voting Aye on the following roll call vote to schedule a rehearing on the matter for March 14, 2024 at 5:30 p.m.

ZBA Board Member Fries:	Aye
ZBA Board Member Cole:	Aye
ZBA Chairman Burg:	Aye

On a motion made by ZBA Board Member Fries, seconded by ZBA Board Member Cole and carried, all voting Aye to close the meeting at 9:07 a.m.

Respectfully Submitted,

Deanna Tompkins

