

**TOWN OF DARIEN
GENESEE COUNTY, NEW YORK 14040**

**Zoning Board of Appeals
Minutes
December 27, 2021**

MEMBERS PRESENT: Ben Kohlhagen, Anthony Hackett, Mike Plitt, William Sweet
MEMBERS ABSENT: Al Stein
OTHERS PRESENT: Jerry Yoder, Alice Calmes, Nick Ciccarelli, and members of the public

The meeting was called to order at 7:30 p.m. Everyone in attendance recited the pledge to the flag. Ben Kohlhagen made a motion to approve the minutes from the November 22, 2021 meeting; Mike Plitt second; all ayes, the meeting was approved.

Nick Ciccarelli: Mr. Ciccarelli submitted an application for an area variance for a proposed home. The requirement under Schedule A is fifty feet and the applicant requests a side setback of twenty feet to the adjacent residential partial in the abutting MU-CC zone for which side setback requirements are thirty feet. The applicant is requesting a side setback variance to the north side of forty-five feet of the required fifty feet. The public hearing opened at 7:32 p.m. Neighbors were concerned about the placement of the new home and a right of way for their children to use to access the state park. The board members mentioned that the property could be a gas station or other business instead of a private residence. There were discussions between the neighbors and the applicant, and an agreement was made. The only area that the house would fit properly is the way it is being proposed on the application. Mike Plitt made a motion to close the public hearing; Anthony Hackett second; all ayes, the public hearing was closed at 7:55 p.m. Mike Plitt made a motion to approve the application; William Sweet second; all ayes, the application was approved.

Mike Plitt made a motion to adjourn the meeting, Ben Kohlhagen second. All ayes, the meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Gwen Yoder,
PB/ZBA Clerk