

The RACOG Cooperative Zoning Board of Appeals met in regular session on Wednesday, February 2, 2022 at the Town of Champion Municipal Building, 10 North Broad Street, West Carthage. Present were Vice-Chairperson D. Austin, T. Heagle, and M. Stephens.

Vice-Chairperson Austin called the meeting to order at 7:00pm. The Board reviewed the minutes of the last meeting. T. Heagle noted that the date of the meeting needed to be corrected. Motion by T. Heagle, seconded by M. Stephens to approve the minutes of January 5, 2022 as corrected. Ayes-3, Nays-0. Motion carried.

Chris Potter, representing Stewart's Shop Inc., reviewed the request for a number of area variances. Stewart's seeks to construct a new and larger store and to realign the fueling facility. Stewart's has three (3) neighboring residential properties under contract including parcel nos. 76.06-2-61, 63, and 60. The existing structures on the parcels would be demolished to allow for the expansion.

Proof of notice having been furnished, the public hearing on variances for Stewart's Shop, Great Bend was called to order at 7:02pm by Vice-Chair Austin.

David Swain, 32751 NYS Route 3, Great Bend, cited traffic concerns that already exist in the area at certain times of the day and stated that he believes that a larger store with more parking areas will further contribute to the congestion and an increase in the number of traffic accidents in the vicinity. He stated that large trucks park on the roadside and obscure the site line for passenger vehicles trying to leave the store. He was further concerned by the lack of trash control and the amount of debris he has to clean off his lawn from the store. He also questioned plans for a outdoor ice cream window, lighting, landscaping and fencing.

Lyle Clark, who plans to sell a parcel to Stewart's, stated that with more land the footprint of the store was acceptable. He stated that the Stewart's in Black River is well maintained.

C. Potter, Stewart's representative, stated that the planned trash collection will be behind the store, further from the Swain residence, and will be enclosed in a fenced area. He suggested that the store could increase servicing the dumpsters during busy periods. He further stated that the new design will redefine traffic access in and out of the store parking. The plans for ingress/egress have been reviewed and approved by NYSDOT. Large trucks will have available parking at the rear of the store. There will be no outside ice cream sales.

All persons desiring to be heard, having been heard, the hearing was closed at 7:19pm.

Members reviewed and responded to the SEQR for the proposed area variances. Motion by T. Heagle, seconded by M. Stephens to make a declaration of negative environmental impact. Ayes-3, Nays-0. Motion carried.

The following resolution was offered by T. Heagle, who moved its approval, and seconded by M. Stephens, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Stewart's Shop Corp. for parcel number 76.06-2-62, assembled with parcels 76.06-2-61, 63 and 60, for variances of T/Champion Zoning Laws:

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concludes the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concludes that the benefit sought by the applicant could not be achieved by some method, feasible for the applicant to pursue, other than a variance.
- C. The Board concludes that the variance is substantial.
- D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.
- E. The Board concludes that the alleged difficulty is self created.

NOW, THEREFORE BE IT RESOLVED that the application from Stewart's Shop Corp., for parcel number 76.06-2-62, assembled with parcels 76.06-2-61, 63 and 60, for variances of the aforementioned T/Champion Zoning Laws are hereby granted without conditions.

The foregoing resolution was duly put to a vote as follows:

D. Austin.....aye  
T. Heagle.....aye  
M. Stephens.....aye  
T. Kight.....absent  
M. Roberts.....absent

Resolution adopted.

Scott Kolb, representing Gerald Bunker, 34395 Freeman Drive West, presented an area application seeking a variance to Section 410 of the T/Champion Zoning Law –

Area Regulation Schedule, specifically the minimum lot area in the lake district. Mr. Bunker seeks to sell 100' of lake frontage to his neighbor, Mr. Walsh. Mr. Walsh's lot currently measures 75' x 100'. With an additional 100' x 100', the Walsh lot would have an area of 17,500 sq. ft.. Mr. Kolb noted language contained on the subdivision map that would assure that the new lot would be assembled with the existing Walsh lot.

Motion by M. Stephens, seconded by T. Heagle to schedule a public hearing on March 2, 2022 on the matter. Ayes-3, Nays-0. Motion carried.

Motion by M. Stephens, seconded by T. Heagle to adjourn. The meeting adjourned at 7:37pm.

*Christina Vargulick*

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RACOG Cooperative ZBA, Secretary