

**Village of Webster**  
**Zoning Board of Appeals Meeting Minutes**  
Meeting Minutes of June 15, 2017

Community Meeting Hall  
29 South Avenue  
Webster, NY 14580

**Present:** Mark Nicholson, Mike O'Connor, Karl Laurer, Bill Baker, Atty. David Mayer, Building Insp./Code Enforcement Officer Will Barham, Deputy Clerk Jo O'Neill  
**Absent:** Bob Fantauzzo

Meeting came to order at 7:30pm.

Mark Nicholson asked for a motion on the minutes from May 18, 2017.

**Motion:** Bill Baker made a motion to approve the minutes of May 18, 2017 as written. Seconded by Karl Laurer. All were in favor. Minutes were approved.

**1) Application:** (Continued from May 18, 2017 meeting)

Mark Van Epps, developer of Brittany Woods Townhomes, Tax ID#080.11-1-12 and 080.15-1-49.1, located at the southeast corner of Ridge and Phillips Roads. Application for a preliminary site plan review to develop 13.4 acres for a 14 building townhome development. Applicant also seeks relief from current zoning regarding number of buildings per acre. They are requesting 14 townhouse buildings on 13.4 acres, where one building per acre is allowed pursuant to Village Code 175-17A(3). Property Zoned: Residential RM.

Mark Nicholson informed the applicant that one board member was absent, and three of the four members in attendance would have to vote in favor of the variance for it to be approved. He offered the applicant the option of rescheduling the meeting for when the entire board could be present.

Scott Sydelnik, Attorney for Mark Van Epps, indicated that they would still like to proceed.

M. Nicholson stated that there has already been a Public Hearing on the application, and there will not be any further Public comments. They have also already completed a thorough review of the application and done the SEQR for the property. He then asked for any comments or discussion from the board.

**Motion:** Bill Baker made a motion to go into an Executive Session with our Attorney to review our options at 7:34pm. Seconded by Mike O'Connor. All were in favor. Motion passed.

**Motion:** Karl Laurer made a motion to come back into session from Executive Session at 7:42pm. Seconded by Mike O'Connor. All were in favor. Motion passed.

M. Nicholson inquired as to how many units are in each building.

Mark Van Epps replied that it varies, but the total number of units in the 14 buildings is 68.

M. Nicholson indicated that each building could have 8 units, so they could build 13 buildings with 8 units, for a total of 104 units, without a variance if they wanted.

Mike O'Connor noted that the applicant has worked with the Village, and done what the Planning Board asked by splitting up the building along Phillips Rd. He added that the requested variance is minor in nature.

M. Nicholson asked for any other comments or discussion, and then asked for a motion in favor of or opposed to the application.

**Motion:** Mike O'Connor made a motion to grant a variance to Brittany Woods Townhomes for developing 14 buildings on 13.4 acres as designed in the record. Seconded by Karl Laurer. All were in favor. Motion passed.

Will Barham questioned if they needed a condition that the two parcels be combined.

Atty. David Mayer replied that the development is still subject to site plan approval by the Planning Board. The motion the ZBA made is strictly for the variance.

Karl Laurer informed the board that he will be vacating his seat on the ZBA board effective July 1, 2017, as he will be joining the Village Board as a trustee.

M. Nicholson thanked Karl for his service to the ZBA board. His insights and comments have been appreciated, and he will be missed very much. Mark then asked for a motion to adjourn the meeting.

**Motion to Adjourn:** Bill Baker made a motion to adjourn the meeting. Seconded by Mike O'Connor. All were in favor. Meeting adjourned at 7:47pm.

The next Zoning Board of Appeals Meeting is scheduled for 7:30pm on July 20, 2017.

Respectfully submitted,  
Jo O'Neill, Deputy Clerk