

**Meeting Minutes
Town of Wheatland
Zoning Board of Appeals
November 5, 2025**

The Zoning Board of Appeals of the Town of Wheatland held a meeting on Wednesday November 5, 2025, at 7:00 P.M. in the Wheatland Municipal Building, 22 Main Street, Scottsville, NY.

Mike Grasso, Chairman, called the meeting to order at 7:15 P.M and roll was taken.

Board Members

Present: Joe Burns, Eric Stein, Robert Hatch, Mike Grasso

Absent: Kane Gascon, Laura Michaels

Others Present:

Mr. Ian Ferralli, Property Owner

Mr. Andrew Tackling, Property Owner

First order of Business:

Chairman Grasso asked for a motion to accept the Minutes from the September 2, 2025, meeting. The meeting minutes were approved as submitted. Joe Burns made such a motion; Eric Stein seconded the motion. The vote was as follows:

Joe Burns -	Aye
Eric Stein -	Aye
Robert Hatch -	Aye
Mike Grasso -	Aye

With all members voting in favor, the motion was carried.

Second Order of Business:

The application of Ian Ferralli of 1123 Scottsville Mumford Rd. to seek an area variance to allow and construct an accessory structure that does not comply with the required front setbacks in an AR-2 residential zoning district. Tax ID # 199.03-1-75.1.

Ian Ferralli came before the Board and stated he would like to construct a pole barn on his property and would need to encroach upon the 75' front setback by approximately 27'. He stated due to the dimension of the depth of his property (107.19'), the total setback distance is 20' in the rear and 75' from the front, which leaves only a 12' strip of permitted land down his property. 12' is not a feasible size to build any structure. The property is a pre-existing, non-conforming property with the house set within the 75' front setback. The barn will be for his own personal use. There are multiple properties in the surrounding area with accessory structures. Adding an additional structure will not have a negative impact on the existing character of the neighborhood. The area is agricultural where pole barns are a common sight. The structure is already set as far back on the property to maximize the distance of the front setback. Mr. Ferralli believes that a 27' encroachment on the front setback will not appear out of place and has stated that there is no environmental impact in regard to his request.

With no questions from the Board the floor was open for public comment at 7:28 P.M.

There being no public before the board, public comment was closed at 7:29 P.M.

The Board members considered and discussed the details and effects of the requested variance.

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The Town of Wheatland Zoning Board of Appeals as authorized under Wheatland Town Code Section 130-66, after careful consideration and review of the evidence presented and having heard all the facts hereby approves the application of Ian Farralli. This motion was based upon the following finding of facts:

- 1.) The granting of this area variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties, demonstrated by: similar to condition of other properties in the area. The new structure will be substantially further from the lot line than the existing.
- 2.) The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance, as shown by: the pre-existing non-conforming lot almost precludes any building on the property.
- 3.) The requested area variance is substantial as evidenced by: reduction of 27' is more than 33% of required minimum.
- 4.) The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district as shown by: similar to other properties. New structure substantially further from lot line than house.
- 5.) And that the condition has not been self-created, as shown by: pre-existing, non-conforming lot.

Motion to approve the variance was made by Robert Hatch and seconded by Joe Burns. The vote was as follows:

Joe Burns	-	Aye
Eric Stein	-	Aye
Robert Hatch	-	Aye
Mike Grasso	-	Aye

Third Order of Business:

The application of Andrew Tackling of 371 Robert Quigley Dr. to seek a temporary building permit from the Zoning Board of Appeals for a non-confirming building incidental to a construction project located at 9292 Union St., Scottsville. Per section 130-66.D.(6)(a) in an AR-2 residential zoning district. Tax ID # 199.01-1-5.217

Andrew Tackling came before the Board to ask for a special dispensation to place a shed on one of his properties which does not have a primary structure. This property is 9292 Union St. , he does plan on having a house built on this property however, the structure will not be present for at least a year. The 10' x 14 ' shed will be utilized to store lawn equipment and will have electricity.

Mr. Tackling stated that National Grid had to perform a redesign of his property at 9288 Union and this resulted in extra costs totaling \$70,000 in order to get electricity to his initial residence. To help alleviate the hardship, National Grid said that he can request electricity to his other property (9292 Union) via a shed, resulting in a \$25,000 credit to the \$70,000 surcharge. Mr. Tackling said that he does not think this request would create a negative impact on the neighborhood, he said he will maintain the lawn and the new built for this property will begin within the year. He also stated that there will be no effect on the environment.

Board member Bob Hatch stated that he needs to recuse himself due to Mr. Tackling being a prior customer of Schultz & Associates.

Board member Joe Burns asked if this temporary permit is good for one year and what would happen if the house were not built within the year. Building Inspector John Crowley stated that the Board would be able to grant an extension for one additional year. If the house is built, then Mr. Tackling will need to get a permanent permit, so the shed becomes compliant.

With no further questions from the Board the floor was opened for public comment at 7:48 P.M.

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Neighbor, Chris Marsherrall stated that he does not have an issue with Mr. Tackling putting up a shed.

There being no further public before the board, public comment was closed at 7:50 P.M.

The Board members considered and discussed the details and effects of the requested variance.

The Town of Wheatland Zoning Board of Appeals as authorized under Wheatland Town Code Section 130-66.D. after careful consideration, review of the evidence and having heard all the facts, determines that: This Action is a TYPE II action under SEQRA 6 NYCRR 617.5(c)(12) with no need for further review,. Motion made by Joe Burns seconded by Eric Stein, and approved as follows:

Further, as authorized as stated above, the Board after review and deliberation of all the submitted facts, evidence and public input determines this to be the appropriate variance to adequately address any hardship to the applicant, balance and preserve the economic viability and character of the neighborhood and preserve the health, safety and welfare of the community.

The Town of Wheatland Zoning Board of Appeals hereby:

APPROVES AS REQUESTED

APPROVES WITH CONDITIONS

The application of ___Andrew Tackling___ for to grant a temporary building permit for a period not to exceed one year for a nonconforming building, structure or use incidental to a building or other construction project, including such uses as the storage of building supplies and machinery, as authorized by 130-66.D. (6)(a) and authorizes the Building Inspector to issue a Building permit for the same.

Subject to the following conditions:

1. The building will be removed after a period of one (1) year from the date of issuance of the permit or come into compliance or request the board to grant a 12-month extension.

The vote was as follows:

Joe Burns	-	Aye
Eric Stein	-	Aye
Robert Hatch	-	Abstain
Mike Grasso	-	Aye

With the majority of members being in favor, the motion was carried.

There being no further business, Bob Hatch entertained a motion to adjourn. Joe Burns seconded the motion. The vote was unanimous. The meeting was adjourned at 8:00 P.M.

Respectfully submitted,

Lisa J. Bates

Lisa J. Bates
Recording Secretary