

**Meeting Minutes  
Town of Wheatland  
Zoning Board of Appeals  
July 1, 2025**

The Zoning Board of Appeals of the Town of Wheatland held a meeting on Tuesday July 1, 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, Kane Gascon  
Robert Hatch, Mike Grasso

**Absent:** Laura Michaels

**Others Present:**

Shane Seaburg, Property Owner  
Christopher Riggi, Property Owner

**First order of Business:**

Chairman Grasso asked for a motion to accept the Minutes from the September 3, 2025, meeting. The meeting minutes were approved as submitted. Joe Burns made such a motion; Kane Gascon seconded the motion. The vote was as follows:

|                |         |
|----------------|---------|
| Joe Burns -    | Aye     |
| Eric Stein -   | Aye     |
| Kane Gascon -  | Aye     |
| Robert Hatch - | Aye     |
| Mike Grasso -  | Abstain |

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

**Second Order of Business:**

The application of Shane Seaburg of 77 Blue Pond Manor to seek an area variance to allow and construct an addition that does not comply with the required front setback in an AR-2 residential zoning district. Tax ID # 198.07-1-11.

Mr. Seaburg stated he is requesting an area variance for a front setback for the purpose of building an addition to the side of the existing cottage. There is currently only a loft for sleeping. He would like to add two additional bedrooms to turn the cottage into more of a home. The front setback for the addition would be the same setback as the existing cottage which is 23.6 feet. In addition, Mr. Seaburg stated that all the existing structures in the Blue Pond area are non-conforming. There will be no effect on the character of the neighborhood and/or nearby properties and the feedback he has received from the local HOA and neighbors has been 100% positive.

With no further questions from the Board the floor was opened for public comment at 7:26 P.M.

Mr. Zingo of 63 Blue Pond Manor stated that there would be little impact on the neighborhood and is in favor of the addition.

With no other comments, the public comment was closed at 7:28 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, after careful consideration and review of the evidence presented and having heard all the facts hereby approves as requested the application, of Shane Seaburg. This motion was based upon the following findings 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: 1. Almost every lot in the neighborhood is non-conforming. 2. Improve property that is getting variance.
- 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: Very limited space for any additions and the proposed location is not going to increase the non-conforming front setback.
- 3.) The requested area variance is substantial as evidenced by: reducing the 75’required setback to 39’+.
- 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: 1. Relatively small addition which does not even add much impervious area.
- 5.) And that the condition has not been self-created, as shown by: current non-conformity of the existing house.

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

|              |   |     |
|--------------|---|-----|
| Joe Burns    | - | Aye |
| Eric Stein   | - | Aye |
| Kane Gascon  | - | Aye |
| Robert Hatch | - | Aye |
| Mike Grasso  | - | Aye |

All were in favor and the motion was carried.

**Third Order of Business:**

The application of Christopher Riggi to seek a use variance of Article II, Section 130-10 of the Code of the Town of Wheatland, to allow construction of a 6’ privacy fence in the F-1 portion of his parcel that straddles an R-16 & F-1 zoning district. The subject parcel is 1045 George Street in Mumford, NY 14511. Tax I.D. #208.15-1-75.1.

Mr. Riggi stated that he is requesting a use variance to put up a fence in his backyard. He stated that the DEC does not consider 1045 George St. to be in a flood zone, however, the Town of Wheatland does. The fence would be 110 feet in length with a 6’ gate. He and his wife have two young children that love to play in the backyard, their new neighbor’s lifestyle does not match that. Mr. Riggi stated that the new privacy fence would add value and privacy to both his and his neighbor’s property. He believes that the proposed fence will not have a negative effect, it is a low impact installation on already developed residential land. Mr. Riggi also stated several times that he is willing to compromise on the fence structure based on how the Board sees fit.

Chairman Grasso reviewed the F-1 and Wetlands maps. He stated that it looks like the majority of the property is no longer in the flood zone. Mr. Riggi explained that the wetlands behind his house are owned by the Genesee Country Village Museum and dry up in the summer.

A question was raised as to the type of fence, Mr. Riggi stated that the fence will be a wooden 6’ high fence, 4” off the ground.

With no further questions from the Board the floor was opened for public comment at 7:45 P.M.

Mr. John Allen of 1021 George St. stated that he is a neighbor of Mr. Riggi’s, and he has lived in the neighborhood for 20 years. He has never seen any flooding in that area in all the years he has lived there. He does not have any issues with his neighbor building the fence.

With no other comments, the public comment was closed at 7:47 P.M.

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

Bob Hatch made a motion to declare the SEQRA Negative Impact of the use variance of 1045 George St., construction of a fence (Tax Parcel: 208.15-1-75.1 to be an unlisted action under SEQRA 6 NYCRR 617.7 and per section 617.20, after review of SEQRA EAF part two short form determines that there are no significant impacts. Seconded by Kane Gascon, and approved as follows

| Member             | Motion | Second | Aye | Nay | Abstain | Recused |
|--------------------|--------|--------|-----|-----|---------|---------|
| Joseph Burns       |        |        | x   |     |         |         |
| Kane Gascon        |        | x      | x   |     |         |         |
| Eric Stein         |        |        | x   |     |         |         |
| Robert Hatch       | x      |        | x   |     |         |         |
| Mike Grasso, Chair |        |        | x   |     |         |         |
|                    |        |        |     |     |         |         |

The Town of Wheatland Zoning Board of Appeals as authorized under Wheatland Town Code Section 130-60, after careful consideration and review of the evidence presented and having heard all the facts hereby approves with conditions the application, of Christopher Riggi. This motion was based upon the following findings of facts:

- 1.) The applicant can not realize a reasonable return, as demonstrated by: there is no other way to achieve the desired privacy other than a fence.
- 2.) That the hardship relating to this property is unique and does not apply to a substantial portion of the district or neighborhood as shown by: on a few lots in the neighborhood have a portion in the F-1 Zone.
- 3.) That the requested use variance, if granted, will not alter the essential character of the neighborhood as shown by: variance is only for a fence.
- 4.) And that the alleged hardship has not been self-created.
- 5.) Further that this variance is subject to the following conditions: applicant and future owners will construct the fence 3-4” above the ground to allow water to flow under.

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

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

All were in favor and the motion was carried.

There being no further business, Kane Gascon entertained a motion to adjourn. Eric Stein 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

**Meeting Minutes  
Town of Wheatland  
Zoning Board of Appeals  
September 2, 2025**

The Zoning Board of Appeals of the Town of Wheatland held a meeting on Tuesday September 2, 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 8:10 P.M and roll was taken.

**Board Members**

**Present:** Joe Burns, Eric Stein, Robert Hatch, Laura Michaels, Mike Grasso

**Absent:** Kane Gascon

**Others Present:**

Mr. & Mrs. Zingo, Property Owner

**First order of Business:**

Chairman Grasso asked for a motion to accept the Minutes from the July 1, 2025, meeting. The meeting minutes were approved as submitted. Robert Hatch made such a motion; Joe Burns seconded the motion. The vote was as follows:

|                  |         |
|------------------|---------|
| Joe Burns -      | Aye     |
| Eric Stein -     | Aye     |
| Robert Hatch -   | Aye     |
| Laura Michaels - | Abstain |
| Mike Grasso -    | Aye     |

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

**Second Order of Business:**

The application of Bob & Sonya Zingo of 63 Blue Pond Manor to seek an area variance to allow and construct an accessory structure that does not comply with the required front setbacks at 62 Blue Pond Manor in an AR-2 residential zoning district. Tax ID # 198.07-1-35.111.

Mr. & Mrs. Zingo stated that the required front set back for a new greenhouse is 75 feet. They would like to place the greenhouse next to their garage which is located 57 feet 9 inches from the front of their property. They stated that most properties on Blue Pond do not comply with existing setbacks. This vacant property with garage is not in a designated wetland but does get wetter farther from the road. No trees will be removed from the property. The adjacent properties appear to have pre-existing, non-compliant garages and should not affect the charm of the neighborhood in a negative manner. Sonya Zingo stated that the placement of this small greenhouse will have no different impact on the environment.

With no questions from the Board the floor was opened for public comment at 8:22 P.M.

There being no public before the board, public comment was closed at 8:23 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, after careful consideration and review of the evidence presented and having heard all the facts hereby approves the application, of Bob and Sonya Zingo. 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: many non-conforming structures in close proximity to the proposed location.
- 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: variance location minimizes site work, disturbance, costs.
- 3.) The requested area variance is substantial as evidenced by: an 18’ reduction in setback is a 24% reduction.
- 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: the proposed action in the proposed location minimizes impact.
- 5.) And that the condition has not been self-created, as shown by: site conditions that require the variance are naturally existing.

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

|                |   |     |
|----------------|---|-----|
| Joe Burns      | - | Aye |
| Eric Stein     | - | Aye |
| Robert Hatch   | - | Aye |
| Laura Michaels | - | Aye |
| Mike Grasso    | - | Aye |

All were in favor, and 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 8:45 P.M.

Respectfully submitted,

*Lisa J. Bates*

Lisa J. Bates  
Recording Secretary

**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.

2 | Town of Wheatland Zoning Board of Appeals

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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.

### 3 | Town of Wheatland Zoning Board of Appeals

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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