

**Town of Geneseo Zoning Board of Appeals  
June 9, 2026 @ 7:00 PM**

**Members Present:**

John Maxwell - Chair  
Mike DaBramo – Member  
Don Kearney - Member  
Carolyn Meisel – Member  
Mike Millard - Member  
Steve Vitello - Alternate

**Other Town Representatives Present:**

Debbie Streeter, Secretary  
Jared Radesi - Code Enforcement Officer

**Applicant(s)/ Public Present:**

Albert Tubero

At 7:03 pm, Chair Maxwell called the meeting to order. Chair Maxwell confirmed that a quorum was present.

Chair Maxwell requested that the members approve the minutes from April 28, 2026. Member Meisel moved to approve the minutes as presented. Member DaBramo seconded. With no further additions, corrections, or discussion, the minutes were approved, with ayes in favor: Chair Maxwell, Members Meisel, DaBramo, Kearney, and Millard.

Opposed: None  
Abstained: None

**MOTION CARRIED**

Public Hearing- Area Variance  
Albert Tubero  
4367 Blue Heron Drive, Geneseo  
Tax Map #82.-52-1-13

At 7:10 pm, Chair Maxwell opened the Public Hearing regarding an area variance for Albert Tubero at 4367 Blue Heron Drive, Tax Map #82.52-1-13, to exceed the 40% maximum lot coverage. This variance application seeks to replace an old wooden deck with a concrete slab. The proposed project seeks a deviation from the Town zoning code, Table 106, Attachment 3, for the Lakeshore Residential District. Therefore, the Public Hearing will take place as scheduled.

Chair Maxwell noted that 29 green cards were sent out and 23 were returned. The Livingston County Planning Board reviewed this application and determined that it has no significant countywide or inter-municipal impact regarding existing county plans, programs, and activities. Therefore, approval or disapproval is a matter of local option.

Al Tubero came forward to explain the need for a variance in lot coverage. Al wants to replace the torn-out wooden deck with a concrete deck due to the smaller lot size. He stated that all his neighbors have a

concrete pad like the one he wants. He received 1 letter and 1 email from neighbors in support of the project.

A discussion took place with regard to:

- DEC Letter
- The need for stone drainage for water filtration before the water enters the lake

Chair Maxwell asked the board if they had any additional questions. Hearing no further discussion, Chair Maxwell called for a motion to close the public hearing. Member Meisel made a motion to close the public hearing at 7:27 pm. Member Kearney seconded the motion. The hearing was closed with ayes from Chair Maxwell, Members Meisel, DaBramo, Kearney, and Millard.

Opposed: None

Abstained: None

#### MOTION CARRIED

Chair Maxwell requested that the Board discuss and answer the five variance questions.

#### **(1) Will an undesirable change be produced in the character of the neighborhood, or will a detriment to nearby properties be created by granting the area variance?**

**Chair Maxwell:** No, the other properties are the same

**Member Kearney:** No, similar

**Member DaBramo:** No, similar to neighbors.

**Member Meisel:** No, similar to all neighbors.

**Member Millard:** No, all the same

#### **(2) Can the benefit sought by the applicant be achieved by some other method, feasible for the applicant to pursue, other than an area variance?**

**Chair Maxwell:** No, over 40%

**Member Kearney:** No, over 40% as is.

**Member DaBramo:** No, already over the lot coverage metric.

**Member Meisel:** No, no more land.

**Member Millard:** No, it is over 40% now

#### **(3) Is the requested area variance substantial?**

**Chair Maxwell:** Yes, 90%

**Member Kearney:** Yes, greater than 90%.

**Member DaBramo:** Yes, almost 100%

**Member Meisel:** Yes, almost 100%

**Member Millard:** Yes, 90%

**(4) Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?**

**Chair Maxwell:** No, if he puts the stone and grate in.

**Member Kearney:** No, as long as stone and grate are used.

**Member DaBramo:** Stone, gravel, and grate need to ameliorate drainage concerns.

**Member Meisel:** add grate and stone

**Member Millard:** No, not with grate and stone.

**(5) Is the alleged difficulty self-created?**

**Chair Maxwell:** Yes, He wants a new deck area.

**Member Kearney:** Yes

**Member DaBramo:** Yes

**Member Meisel:** Yes

**Member Millard:** Yes, wants a new deck

Chair Maxwell asked if there were any more questions or comments. Since there were none, he requested a motion.

Member Kearney made a motion to grant Al Tubero at 4367 Blue Heron Drive, Geneseo, a variance for a concrete slab with a 5” minimum grate and stone before the break wall to filter water, protect the lake, and be the width of his property. Member Meisel seconded the motion. The motion was approved, with ayes from Chair Maxwell, Members Meisel, DaBramo, Kearney, and Millard.

Opposed: None

Abstained: None

**MOTION CARRIED**

With no further discussion, Meisel moved to close the meeting at 8:15 pm. Member Kearney seconded. The meeting was closed with ayes in favor: Chair Maxwell, Members Meisel, DaBramo, Kearney, and Millard.

Opposed: None

Abstained: None

**MOTION CARRIED**

Submitted by,

Debbie Streeter, Code Clerk/Secretary

ds enclosures

Letter/Email in support of the Tubero project.