Zoning Board of Appeals
July 15th, 2014 at 7:00pm at the Town Hall

In Attendance: Chairman: Robert Bruno, Carol deMello, Peter Sowizdrzal - Absent, Barbara Paye, Jason Morgan, Scott Moran

Members of the public:

Chairman Robert Bruno called the meeting to order at 7:00pm.

MINUTES

Mr. Bruno called for a motion to approve the June 2014 board meeting minutes.

Discussion:

Ms. deMello noted that on Page 2 at the bottom that “the porch” should be inserted within the sentence “asked if the porch will be open or closed”. Ms. deMello noted that Section 3.64 should be cited on the following page instead of a page as the books are all different. Ms. deMello noted that on Page 4 under number 1 on Salem’s case should state “the setback will remain the same as the original/existing house”.

Ms. deMello noted that Mr. Spierto should be spelled with a “t” not a “d”. Ms. deMello suggested that on the decision form for Mr. Spierto should state motion was made to dismiss application, no variance was required.

Ms. Paye motioned to approve the minutes as corrected. Mr. Bruno seconded. All voted in favor and the motion carried.

PUBLIC HEARING

2430 - Martin- 3863 NYS Route 22 - 31.9-1-38.000 – RM-1 – Variance from front yard setback requirements – Mr. Bruno confirmed that the applicant would like to remove the old porch and replace it with an addition for another bedroom. Mr. Bruno referred to the items that were submitted as requested by the board.

Ms. Paye noted that she was looking for the front and side view. Ms. Paye noted that the two concerns that she had, the size of the windows for historic and fire egress and if a door would be placed. She noted that the applicant responded in saying that the windows will be similar to what is already on the house. Ms. Paye noted that Mr. Martin indicated that a door might be placed on the side. Mr. Bruno noted that that is not really for the ZBA to decide upon that it is the Code Enforcement Officer’s to enforce. Ms. deMello asked if the siding will match the existing. Mr. Moran asked if a pad or basement. Mr. Martin said that his contractor is still working with Mr. Rock on what would be appropriate.

Public hearing opened.

Mr. Gary Lindsay noted that the house originally had wooden shingles on it. Ms. deMello asked who
determined what district the property was in. She noted that she feels that it is in the M district. Ms. Blanchard confirmed that Mr. Martin is in the RM-1 district with a 40 foot front yard setback. The board reviewed the existing approved map for clarification and determined that the property is actually in the RM-1. They determined that the

Mr. Lindsay explained the history of the properties in that area. Mr. Bruno asked what the extension will be for the addition. Mr. Martin stated that it will be 10 feet total. Mr. Bruno stated that technically Mr. Martin is in compliance with 42 feet. The board discussed the setback requirements.

Public hearing closed.

OLD BUSINESS

2430 - Martin- 3863 NYS Route 22 - 31.9-1-38,000 – RM-1 – Variance from front yard setback requirements - Ms. deMello motioned to dismiss the case as the application had the wrong zoning district indicated, that based upon the right zoning district they meet the requirements. Mr. Morgan seconded. All voted in favor and the motion carried.

NEW BUSINESS

Town of Willsboro – 3866 NYS Route 22 - 31.9-1-42,300 – Variance from front, rear, and side yard setback requirements - Mr. Bruno noted that this is the first that he’s heard of the pavilion project and that he has a little bit of an issue. Ms. Blanchard explained the case. The board corrected the application to state that it will be at Gateway Park. Ms. deMello noted that the case appears to fall under permitted principal. Ms. Paye concurred. The board discussed the update to the Zoning Map. Mr. Bruno noted with that the board can proceed with the variance request. The board confirmed that side, front and rear yard setbacks would need variance. Ms. Paye asked about the small separate jet out parcel that falls within the parcel. Ms. Blanchard explained that that is NYS DOT property taken by eminent domain for drainage. Ms. Paye asked if the property was turned over to the Town from Willsboro industries. Ms. Blanchard stated that she will look into that for the board. Ms. deMello asked if the side yard setback was actually in need of a variance. Ms. Blanchard stated that she will plot out the building site and pace the setbacks before the next meeting.

Ms. Paye motioned that Ms. Blanchard find the setback distances, but that the case be moved to public hearing. Ms. deMello seconded the motion. All voted in favor and the motion carried.

CONCERNS/INFORMATION

ZAAC Public Comment Period – No comment was made.

New Member – The board welcomed Scott Moran as a new member to the ZBA. Ms. Blanchard noted that everyone is sworn in that needs to be sworn in. Ms. deMello offered a copy of her decision/findings of fact form to the new members for use.

Cardinale Fence Case – Mr. Bruno noted that Mr. Rock was blindsided by a letter that was placed on the windshield of the realtor for the Cardinales. Ms. Paye asked the letter to which Mr. Bruno is referring. Mr. Bruno noted that it was the letter of determination from the APA. Mr. Bruno noted that he wishes that that
was not done. Mr. Bruno noted that the APA letter was received when Ms. Paye was in FL. Mr. Bruno explained the case to the new board members. Further discussion ensued.

ADJOURNMENT

The meeting adjourned at 8:00PM. Ms. deMello motioned to adjourn and Ms. Paye seconded. All voted in favor and the motion carried.

Respectfully Submitted,

Ashley Ryan Blanchard, Secretary - Zoning Board of Appeals