



## TOWN OF WILLSBORO

5 FARRELL ROAD WILLSBORO, NY 12996

518-963-8668

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### Minutes Zoning Board Meeting Date: September 19, 2023 Location: Willsboro Town Hall

**Present:** Chairmen- Pete Sowizdrzal Board Members: Anne Lincoln, Susan Mueller

**Members of the public:** Dianna Henk, Colangione/Olsen, Smith

-Meeting was called to order at 6:03pm.

-May 16, 2023 meeting minutes were presented. Pete Sowizdrzal asked for a motion to approve the meeting minutes. Lincoln made a motion to approve the May 16, 2023 meeting minutes as presented. Mueller second it. All in favor.

**-Henk, 86 Perry's Point Way, Tap Map #: 31.10-1-5.000, RL-5, Replace deck that was removed in 2021 for safety reasons.**

Dianna Henk discussed that the stairs were removed in 2021 because of safety concerns/rotting. In the 70s there was a deck and stairs put down to the water because of the embankment/cliff, because of the age of the deck it was beyond repair and a danger to the family. They know how they should have left it up and started replacing it because of the rules/regulations. They are now planning to make a simple landing with stairs going straight down to get to the water. The old stairs were actually on part of the neighbor's property, first thought was they were going to buy that piece but now the new plan is to put the stairs on the other side of the deck so they do not need to go through another survey or any extra work. The owners are also hoping to use the existing pylons, which would be replacing existing. Pete explains that the distance from the detached accessory building or deck should be 10 feet from the side yard property line. Even though the top of the deck is no longer there the pylons are so it will help with the approval process.

#### FINDINGS OF FACT

Submitted by Pete Sowizdrzal

Variance Application 2023- 132Z—Henk

Sept. 19, 2023

Property location: 86 Perrys Point Rd (31.10-1-5.000)

Zoning District: RL-5 **Residential – Very Low Density**

**PROJECT DESCRIPTION:** We are planning to replace a deck that we believe was constructed by the previous owner in the 1970s that had to be removed in 2021 for safety reasons. It is our intent to replace the deck and the staircase that allows access to the water. We have not yet contracted with a builder and would like to obtain needed approvals so we can take the next step.

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PHONE: (518) 963-8668 WEBSITE: [www.townofwillsboro.com](http://www.townofwillsboro.com)

We intend to keep the replacement deck the same size or smaller than the previous one and we anticipate the replacement would be approximately 12 x 13 in order to utilize the previous deck concrete foundation pillars. No vegetation will be disturbed. Because the existing stairs (still intact) and a portion of the deck were built on the neighbor's property, the new plan moves the stairs to the north side of the deck. A sketch on the survey map is attached as well as a larger survey map.

Applicant Seeking Relief: Section 4.10 – Schedules of Use and Area Regulations - page 31 and Section 6.12 – Setback from the Shoreline, Lot Width and Side Yards – page 58.

Section 5.52 Location of Detached Accessory Buildings in Required Yard Area 1. An accessory building may not be less than 10 feet from the side or rear property line. 2. An accessory building may NOT protrude into the required front yard. 3. Boat houses, docks, or similar waterfront accessory structures must be no less than 10 feet from the side yard property line extended into the water

#### ZONING REQUIREMENTS:

Minimum lot size: 200,000 sq. ft. (.38 acres - 16,553 sq. ft.)

Front Yard Setback: 100' (In Compliance)

Rear Yard Setback: 50' (?)

\*Shoreline Setback 50' (?)

Side Yard Setback: 10' (North side Yes – South side – No need relief of 8' )

Maximum Lot Coverage: 15% (3,480 sq. ft. Allowed – 1080 sq. ft. Not an Issue)

Maximum Bldg. Height: 35' (not an issue)

Move to public hearing?

\*Shoreline Setback Supersedes Rear Yard Setback

Motion made to move to public hearing next month.

*\*Mueller made a motion to go to a public hearing for this case. Lincoln second it. All in favor. The public hearing will be October 17, 2023 before the regular zoning board meeting.*

**-Colangione/Olsen, 508 Corlear Drive, Tax Map #: 11.13-1-59.000, RL-1, New two story-single family home with attached garage.**

-The building will be 44x54 making it 2,376 square feet, height is 27 feet and there are no other structures on the property. They need relief of 20 feet on each side of the house. Front yard set back and rear yard set back are both in compliance. Mark Buckley did the engineered plans, they are planning to use the existing septic tank and expand off of that for the leach field. They sent Bobby the deed but the board members still need to see it.

#### FINDINGS OF FACT

Submitted by Pete Sowizdrzal

Variance Application 2023-135Z—Colangione/Olsen

Sept. 19, 2023

Property location: 508 Corlear Dr. (11.13-1-59.000)

Zoning District: RL-1 (Residential – Low Density)

PROJECT DESCRIPTION: New two Story single family with attached garage.

Section 4.10 pg. 29 - Schedules of Use and Area regulations. Lot size and side yard setbacks.

**ZONING REQUIREMENTS:**

Minimum lot size: 40,000 sq. ft. (17,424 sq. ft. – Need Relief)

Front Yard Setback: 50' (50' In Compliance)

Rear Yard Setback: 50' (50' In Compliance)

\*Shoreline Setback Not Shoreline Property

Side Yard Setback: 50' (30' each side yard – Need Relief of 20' each side )

Maximum Lot Coverage: 15% (2,614 sq. ft. – 2,376 sq. ft. – 13.63% In Compliance )

Maximum Bldg. Height: 35' (not an issue)

Move to public hearing?

Motion made to move to public hearing next month.

*\*Mueller made a motion to go to a public hearing for this case. Lincoln second it. All in favor. The public hearing will be October 17, 2023 before the regular zoning board meeting.*

**-Gregory and Michelle Smith, 1 Oak Ave, Tax Map #: 21.9-8-1.000, RM-M, Construct 30'x36'- 2 story garage with bathroom. With a plan to finish the 2nd story into a two-bedroom apartment in future.**

Minimum lot size is 10,000 and you are at 11,006. Front yard setback is 20'. Rear yard setback is 20 feet, side yard setback is 10 feet, maximum lot coverage is 30%,

Section 4.10 page 33- building a stick build, not manufactured in the RM-M is what you will be requesting relief on. If it is living quarters, we must use variance, but to do that, it is almost impossible. 96/97% of them are turned down. Homeowners are going to redo their plans and go to Bobby with a plan to have a garage and bathroom with empty/open space upstairs.

**ADJOURNMENT:**

**Sowizdrzal moved to adjourn. \_\_\_\_ seconded. All in favor.**

**Next Meeting: October 17, 2023**

**Meeting adjourned at 7:25pm.**

**Submitted by Kyli Miller**

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