



TOWN OF WILLSBORO

OFFICE OF THE SECRETARY FOR PLANNING AND ZONING BOARD

MINUTES ZONING BOARD OF APPEALS DATE: May 21, 2024 at 6:00 PM LOCATION: Willsboro Town Hall

Board Members: Anna Reynolds, Susan Mueller, Trisha Sheehan, Kathleen Nasner, Nicole Gerding, Zoning officer: Jonathan Franke Alternate: Lori A. Franke

Members of the Public: Robert Adams, Micelle Smith, Gregory Smith, Joseph Costanzo

Chairman Reynolds called the regular board meeting to order at 6:00 pm.

Business:

-Robert & Betty Adams, Tax Map # 21.5-2-8.000, 85 Indian Bay Road, area variance for detached garage

Owner wants to do some wood working and their current garage is in the basement, they want it in a separate area. He's here for an area variance because it would be more astatically pleasing as well as more convenient for the home owners.

Mueller made a motion to take it to public hearing (as long as the revised information/amended application is to the board in a timely manner- an updated site plan/new drawing). Nasner seconded. Roll Call: Reynolds, Mueller, Sheehan, Nasner, Gerding. All in favor

-Edward (Ned) Holmes, Tax Map #: 11.17-1-58.000, 345 Corlear Drive, area variance for addition + detached garage

The board cannot determine where certain things are based on the drawing that was provided. There is missing information from the packet as well, the board needs the total square footage for everything that the home owner is asking for (current home/addition/overlay on property). The board discussed that the addition would be 1,000 square feet more, and the original square footage was 1,100 so the new total would be 2,100 square feet. The total lot coverage is only supposed to be 15%, 21,780 is the total square footage of the lot. He is within the lot coverage (11.25%). With a drawing with the correct line- he needs a variance for 5 feet. The space above the garage is a master bedroom. The board needs the owner to redo the paperwork with the correct set back request, 5 feet on the south side. **Nasner made a motion to take it to public hearing (as long as the revised information/new drawing is submitted to the board in a timely manner). Mueller seconded. Roll Call: Reynolds, Mueller, Sheehan, Nasner, Gerding. All in favor**

-Gregory & Michelle Smith, Tax Map #: 21.9-8-1.000, 51 Oak Avenue, area variance

Owner explained that they were here last year and the application that they submitted was for a use variance, they got out of the meting that they had to remove all the living space from the garage, the garage would then be an accessory building to use which is a travel trailer. So, their new application has no living space but does have a bathroom on the first floor with water only. Owner does not

think they need any relief for setbacks, lot coverage etc. so they are wondering why they need a new application at all. They are looking for clarification, if they need to be here or not. The building permit that they apply for would be for strictly the garage, a slab for the RV and in addition they will be putting septic in to support the RV and the bathroom/laundry. Mueller asked about the RV and using it as living space. Owner said they may or may not use it for living space, they will have appropriate accommodations (water, septic, electric etc.) to be used on occasion for anyone that might need to use it. Mueller explained that if it is going to be used it can only be there for 30 days and if its going to be longer, they can get a permit for 150 days that needs to be re applied for annually. The owner's plan is to not do that, they are using this as overflow. There is a second story but the owner says that it is for storage. Sheehan asked for clarification about the shower, because it brings up the concern that the bathroom/shower could lead to other uses than what is being applied for. Reynolds asked if this was considered a new case and if they had to vote to reconsider the case because of the year restriction, Franke said that the year restriction states that we should not even hear this. Mr. Smith says he is not asking for the variance. Mueller does not believe they need a variance. Franke believes he needs a use variance.

The board and home owner discussed in lengths about the use variance, moving the trailer 30 every days, if once the travel trailer is moved then the garage(accessory building) is out of compliance etc.

Mueller made a motion to approve that the proposal presented to us by Mr. and Mrs. Smith because it is in compliance with all zoning regulations and therefore does not need a variance. Nasner seconded

Reynolds made a motion to promote the rezoning review of this district and the town board should perform this task. This is the problem that we are having- the zoning is to confusing in this district specifically because you cannot made heads or tails of this. **Mueller seconded the motion. Roll Call: Reynolds, Mueller, Sheehan, Nasner, Gerding. All in favor**

Franke told the Smith's to come tomorrow to get his building permit.

-Joseph Costanzo, Tax Map #: 21.9-9-8.000, Grove Avenue, use variance application

Mr. Costanzo is unsure why he is here, he understands why now he is being told he won't get a CO. He explained that the old code officer came to his property 4 times, approved his building plans, gave a permit, where there was never any indication of a foundation being used. He was also never told he needed a foundation. The code enforcement officer did issue a stop work order because he did not have an amended site plan when he started the porch, the stop work order was lifted. When they were 99% done with the porch and there was another stop work order was issued. One of the items was the loft windows did not meet compliance- that again was fixed Mr. Sturgess was holding the foundation now. There are two permits for this project- a storage shed and a seasonal cabin. There is no stop work order because Mr. Costanzo agreed to come to the ZBA. All side yard setbacks are met. The APA is not done, there is no septic on the site. The board and homeowner discussed in lengths about what to do next/the options. Franke said the real problem is the building code, our hands are tied by the building code to give a CO.

Franke suggested the board tables this until we can get more information because we keep going around and around without any answers.

Mr. Costanzo is going to do what he needs to do to make the septic correct.

Mr. Costanzo asked what is allowed on his remaining 10 lots, Reynolds told him manufactured lots and showed him what page in the zoning book that the information was on.

Mueller made a motion to table the case. Reynolds seconded. Roll Call: Reynolds, Mueller, Sheehan, Nasner, Gerding. All in favor

Discussion: The board discussed moving the meeting to a different night. The 1st Wednesday of every month instead of the 3rd Tuesday.

MINUTES:

The March 19, 2024 minutes were not discussed.

DISCUSSION:

Next meeting: June 18, 2024

ADJOURNMENT: Mueller made a motion to close the meeting. Nasner seconded it. All in favor and the motion carried.

The meeting was adjourned at 7:31 pm.

Respectfully Submitted,

Kyli Miller
Secretary for Planning and Zoning Board