Zoning Board of Appeals

Meeting of 6-8-22

PRESENT: Michael Dillinger

 Ben Rathjen

 Patrick Tierney

 Kathryn Zeyher, Chair

ABSENT: James Myers

OTHERS PRESENT: Anne Arent, Town Board Liaison

Minutes of 5-11-22 were accepted as read. Motion to accept made by Michael Dillinger, seconded by Ben Rathigen. All in favor: Unanimous.

NILSSON SPECIAL USE PERMIT: Applicant is requesting a special use permit to turn an existing structure into an accessory apartment, to be used by her father and later herself. Variance of l acre is needed. Motion made to approve by Michael Dillinger and seconded by Patrick Tierney. All in favor: Unanimous.

**RESOLUTION GRANTING VARIANCE**

**WHEREAS:** The requested variance will not be detrimental to nearby properties as it is an existing structure and

**WHEREAS** no undesirable changes will occur in the character of the neighborhood and

**WHEREAS** there are no alternative (feasible) methods available to the applicant as it is a pre-existing and non-conforming lot and

**WHEREAS** the requested variance is substantial and

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**WHEREAS** there are no effects and/or environmental impacts that the variance would cause to the physical and/or environmental conditions existing in the locality as it is residential and

**WHEREAS** the variance requested is not a result of a “self-created hardship as it is a non-conforming lot.

**Taking into consideration the “benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such a grant,” do the five factors, when considered together, balance in favor of granting the variance? Mr. Dillinger made the motion to approve the variance. Seconded by Pat Tierney. All in favor: Unanimous.**

**COHEN AREA VARIANCE:** Applicant is requested an area variance set back to add a bedroom. The house is too close to the road and is in need of a front yard setback. Ms. Zeyher made the motion to open the public hearing. Seconded by Mr. Myers.

Richard Hanson of 1554 Bulls Head Road just wanted to see what was going on.

Lisa Cerniglia of 2 Ridge Road questioned how long the construction would take and will it include weekends. There will be no work done on the weekends. Projects will take six weeks for the outside work.

Sybel Delgaudio, 22 Kline Drive was wondering about the removal of a lot of trees. Applicant stated that they had to be removed because of flooding but new trees are scheduled to be planted the day after this meeting.

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Motion made by Mr. Dillinger to close the public hearing. Seconded by Mr. Tierney. All in favor: Unanimous.

Motion made by Mr. Dillinger and seconded by Ben Rathigen to approve the area variance. All in favor: Unanimous.

RESOLUTION GRANTING AN AREA VARIANCE

**WHEREAS**: The requested variance will not be detrimental to nearby properties as it is an existing home and

**WHEREAS**  no undesirable changes will occur in the character of the neighborhood as it is an addition to an existing home and

**WHEREAS** there are no alternative (feasible) changes in the character of the neighborhood as the home is preexisting and nonconforming and

**WHEREAS** the requested variance is substantial and

**WHEREAS** there are no effects and/or impacts the variance would cause to the physical and/or environmental conditions existing in the locality as it is just an addition and

**WHEREAS** the variance requested is not a result of a “self created hardship” as it is a preexisting home.

**Taking into consideration the “benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such a grant, do the five factors, when considered together, balance in favor of granting the variance? Mr. Dillinger**

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**made the motion to approve the variance. Seconded by Ben Rathijen. All in favor: Unanimous.**

As there was no further business the meeting was adjourned at 8:00 p.m.

Respectfully Submitted by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mary Dalton, Secretary

Approved by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Kathryn Zeyher, Chair

/mfd