TOWN OF STANFORD

BOARD OF APPEALS

MINUTES OF 5-10-23

Present: Kathryn Zeyher, Chair

James Myers

Patrick Tierney

Ben Rathjen

Steve Mosher

Also Present: Wendy Burton, Town Board Liaison

MEARS AREA VARIANCE: Ms. Zeyher read the denial letter from Don Smith, Building Inspector. Regarding the garage, the proposed structure needs a 30 foot front line variance. The present structure will be demolished and a new one built.

Regarding the house, there is a need for a 37 foot sideline set back. Front line setback is 30 feet, as per homeowner and building inspector.

Ms. Zeyher stated that they would need to make a plan for a site visit.

Mr. Myers made the motion to schedule a public hearing on June 14h. Seconded by Mr. Tierney. All in favor: Unanimous.

LOEDY/SNARE/O’GRADY AREA VARIANCE: 141 Shelley Hill Road, Clinton Corners, N.Y. Ms. Zeyher excused herself from this proceeding, as she lives near this project.

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Mr. Loedy, representing the owners, is proposing a conversion of a garage into an accessory apartment. Applicant is requesting an 870 square foot variance for the garage/accessory apartment.

As there is a proposed carport attached to the garage, there is a need for a 116 square foot area variance for the carport itself and a 23 foot front yard setback. Mr. Myers made the motion to schedule a Public Hearing for June 14, 2023. Ben Rathjen seconded. All in favor: Mr. Myers, Mr. Tierney, Mr. Rathjen and Mr. Mosher. Ms. Zeyher abstained.

BEN RATHJEN, 158 Charwell Drive requested review of guidelines placed on his property by Don Smith, Building Inspector and ZEO. Mr. Rathjen is questioning the authority for placement of these guidelines.

Mr. Rathjen reports receiving an enforcement visit by Don Smith after Wendy Burton, Town Supervisor, submitted an email outlining an anonymous complaint regarding these guidelines. Ms. Zeyher distributed NYS Zoning Enforcement Handout to the Board for review.

The ZBA Board discussed the “ZEO’s power to limit the enforcement of the law as written” as per the NYS. A letter will be written to the ZEO notifying him of the ZBA appeal presented by Mr. Rathjen including the understanding that this appeal places into effect a stay against further enforcement.

Due to the complex nature of this appeal, the ZBA board unanimously decided not to make any determination on this request at this time, as further research and review of Zoning law is needed. Mr. Rathjen was invited to reappear at the next ZBA meeting.

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Respectfully Submitted By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mary Dalton Recording Secretary

Approved By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathryn Zeyher, Chair

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