

**TOWN OF ARIETTA
ZONING BOARD OF APPEALS
Old Piseco Road
Piseco, NY 12139**

Public Meeting Dated:
Monday January 13, 2020 - 6:00 P.M.
Piseco Community Hall

Approved Minutes - Town of Arietta Zoning Board of Appeals was called to order by Acting Chairman Bill Hotaling at 6:00 PM.

Members present: Barry Baker Kevin Dorr Bill Hotaling Dave Roberts
Secretary Marie Buanno Zoning Officer Mel LaScola

Members absent: Frank Sczerzenie, Chairman

No one else was present.

Chairman Hotaling welcomed and introduced new member Dave Roberts.

Chairman Hotaling asked for a motion to accept the minutes of the June 10, 2019 meeting. Kevin Dorr made a motion to accept as written. Seconded by Barry Baker. All were in favor (3 – 0). Chairman Hotaling also asked for a motion to accept the minutes of the November 11, 2019 meeting. Barry Baker made a motion to accept as written. Seconded by Kevin Dorr. All were in favor (3 – 0). Dave Roberts did not vote as he was not yet a member of the ZBA.

Case #2001 – Todd Vedder of 1231 Old Piseco Road wants to put a shed type roof over his existing 7' x 24' deck which is not in compliance with Code #11.010 A. Any lawful non-conforming use, structure, or property existing on the effective date of this ordinance or any amendments thereto may be continued, subject to the following requirements: (1) Enlargement, alterations and /or repairs of buildings and structures. (c) Buildings and structures which do not comply with the minimum setbacks specified in these regulations shall not be permitted to expand their non-conformity in any direction, including height, without the issuance of a variance by the Zoning Board of Appeals. Since he is closer than 15ft. from the property line (12 ft.), a variance will also be needed for that. Code #4.010 states the setback from a lot line for SR1, SR is 15ft. The roof is to accommodate snow load which will fall on his property. There were very few questions from the ZBA members. Zoning Officer Mel LaScola said he was fine with the plans for this project.

The ZBA went on to vote on the variance criteria.

(1) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. All 4 voted No.

(2) Whether an undesirable change in the character of the neighborhood will be produced or a detriment to nearby properties will be created by the granting of the area variance. All 4 voted No.

(3) Whether the requested variance is substantial. All 4 voted No.

(4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood. All 4 voted No.

(5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the ZBA, but shall not necessarily preclude the granting of the area variance. All 4 voted No.

The vote whether to approve the variance: All 4 voted Yes.

A list of neighbors within 500 ft. who were notified is attached. It is unknown to the Secretary if any were returned undeliverable. There were no other comments from the ZBA members.

Nothing can be done until the APA responds and they have 30 days to do so.

Case closed.

A motion to adjourn was made at 6:09 PM by Bill Hotaling and Seconded by Barry Baker. All were in favor (4 -0).

Attachments: Chairman Hotalings agenda.

Zoning Officer permit denial (2 pages)

Building plans and deed information (8 pages)

List of neighbors contacted

APA Jurisdictional Determination (3 pages)

Respectfully Submitted

Marie C. Buanno