

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

Public Hearing Dated:
Monday April 14, 2025 - 5:00 P.M.
Piseco School

Approved Minutes - Town of Arietta Zoning Board of Appeals was called to order by Chairman Barry Baker at 5:06 PM.

Members present: Barry Baker, Dan Fish, Jaime Parslow Secretary Marie Buanno Zoning Officer Mel LaScola

Members absent: Kevin Dorr, Bill Hotaling

Public in Attendance: Richard Hilton, Christine Irish, Vickie Orr, Shawn Taylor, Helen Vail

Chairman Baker asked for roll call. With a quorum present, Chairman Baker noted the minutes of the last meeting/hearing of December 9, 2024 could not be approved tonight as there are not enough ZBA members present tonight who were also in attendance in December. They will be approved at a future meeting of the ZBA.

Case #2501 – Shawn Taylor of 1169 State Route 8 wants to subdivide his 10.6 acre lot at this address. Chairman Barry Baker asked Zoning Officer Mel LaScola to give everyone an idea of how we came to meet for this hearing tonight. Mel said Shawn Taylor had approached the Planning Board to obtain a minor subdivision but was denied as the house he wants to sell sits on a non-conforming lot. The Planning Board recommended he approach the Zoning Board of Appeals to request a variance to move forward on the subdivision so as to provide enough property to make the lot compliant once subdivided. The property was sold to him as one 10.6 acre parcel. If he subdivides, the house will not be on a conforming 3 acre lot minimum. Jaime Parslow asked if the highway came into play at some point in time. Chairman Baker said the “modern” highway (Route 8) split the parcel. Jaime noted there is a discrepancy in the notation of zone 88 and 89 in the code book. The map says 88 and was clarified as correct. Mr. Taylor would not have needed a variance for this subdivision in 2008 because the road created a natural subdivision. Chairman Baker noted that in 2009 the APA changed their policy regarding natural subdivisions. There is no longer a natural subdivision designation such as roads, rivers or streams.

Chairman Baker asked Shawn Taylor what his plans were that brought him to the ZBA. He stated that he wants to sell the property with the house on it and keep the vacant property across the highway for hunting purposes. He will not be building on the property. He is asking for this variance in order to make the parcel compliant. He has a buyer for the house contingent on the variance being approved. The lake rights will go with the house. Chairman Baker said Mr. Taylor submitted a surveyed map showing the designated portion that will be added to the house lot to make it compliant.

The Zoning Board members did not have any further questions or comments. Neighbor Vickie Orr asked if he would be building on the vacant property. Mr. Taylor indicated he will not be building anything in the foreseeable future as he is building in Fulton County. There were no other comments concerning this variance.

It is noted that neighbors within 500 feet of the subdivision were notified and no one responded for or against it.

Chairman Baker asked for a motion to move forward with the approval of the subdivision. Jaime Parslow motioned, 2nd by Dan Fish.

The ZBA went on to vote on the variance criteria.

(1) 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 3 voted No.

(2) 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 3 voted No.

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

(4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood. All 3 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 3 voted No.

All were in favor of the motion to approve (3 – 0).

Case closed.

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

Having no other business to discuss, a motion to adjourn was made by Dan Fish, Seconded by Jaime Parslow. All were in favor (3 – 0).

There are eight attachments to these minutes: The 1 page variance notification, 1 page directive from the Zoning Officer, 1 page variance application, 3 page property deed, 1 page property map, 2 page APA JIF, 4 page APA wetlands regulations, 2 page list of neighbors contacted.

Respectfully Submitted
Marie C. Buanno