

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

Public Hearing Dated:
Monday May 11, 2026 - 5:00 P.M.
Piseco School

Accepted Minutes - Town of Arietta Zoning Board of Appeals was called to order by Chairman Barry Baker at 5:01 PM.

All members present: Barry Baker, Kevin Dorr, Bill Hotaling, Howie Parslow, Jaime Parslow, Zoning Officer Mel LaScola, Secretary Marie Buanno

Public in Attendance: Jason Krenichyn, Craig Small

Chairman Baker asked for roll call. With a quorum present, Chairman Baker asked for a motion to accept the minutes of the December 8, 2025 meeting/hearing. Kevin Dorr made a motion to accept the minutes as written, 2nd by Bill Hotaling. All were in favor (4 – 0). Jaime Parslow did not vote as she was absent from that meeting.

Continuance of Case #2504 – Dave and Linda Belleville of 715 Old Piseco Road want to build a screened porch off their existing house. Kevin Dorr is representing them as their contractor and will recuse himself from voting as a ZBA member on this variance project. Their application was denied due to the project being within 100 feet of the lake. Zoning Officer Mel LaScola denied the new application due to Code #5.030 Shoreline Structure Setback – “A minimum setback of one hundred (100) feet from the shoreline is required for all structures in excess of one hundred (100) square feet except docks”.

The ZBA members present at the December 2025 hearing had voted to table this variance decision in anticipation of additional information from the applicant pertaining to the width of the property and where the improvements would be as there was a discrepancy with the maps available.

ZBA member Kevin Dorr will abstain from voting as he is the contractor on the project and presented clearer accounting of the square footage with new diagrams. Kevin says the discrepancy was because the property line is at an angle. At one point there is 62 feet from the property line and the other is 38 feet. He located a pin across the street and another by the docks and measured the line to come up with those measurements. 62 feet minus the 16 feet for the porch project is 46 feet. 39 feet minus 16 feet on the other side is 22 feet. With the property line at an angle, Kevin said he would make sure it was a 25 foot setback. Barry Baker noted there was a discrepancy on the survey map indicating an old survey line, not the actual line. Barry reiterated the fact that anytime something is done within 100 feet of the lake warrants a variance. Jaime Parslow was not present for the initial hearing on this in December. Barry Baker asked if she were comfortable in making a determination on the project. She indicated she was.

Chairman Baker asked if the members of the board had any other questions before voting. No one did.

Chairman Baker noted that neighbors within 500 feet of the project were notified and no one responded for or against the project when it was first presented or since.

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. 4 voted No, 1 Abstained.

(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. 4 voted No, 1 Abstained.

(3) Whether the requested variance is substantial. 4 voted No, 1 Abstained.

(4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood. 4 voted No, 1 Abstained.

(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. 4 voted No, 1 Abstained.

The Chairman asked for a motion that the board approve the variance with the stipulation that the project meets the 25 foot setbacks from the property lines. Howie Parslow made that motion. 2nd by Jaime Parslow. 4 were in favor, 1 Abstained.

Case closed.

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

Case #2601 – Piseco Volunteer Fire Department of 1661 State Route 8 want to build an Equipment Storage Shed at that address. Their application was denied by Zoning Officer Mel LaScola as the address is in Zone 11 according to the Town of Arietta Land Use Code book which is “Special Town Center” and requires a “Special” permit. The code reads: SPECIAL DISTRICT (SD): An area, governed by these regulations, which appears on the Zoning Map of the Town of Arietta and/or which may have additional requirements. SPECIAL USE PERMIT (SP): Is a use, because of public convenience and necessity and its effects upon the neighborhood, which shall be permitted only upon the approval of the Zoning Board of Appeals after due notice, a public hearing, and a finding that it will not be detrimental to the general land use plan or to adjacent surrounding property. Also required is a Site Plan Approval by the Town of Arietta Planning Board.

Zoning Officer Mel LaScola reiterated the regulations surrounding the variance request in the Special District. Deputy Fire Chief Craig Small was on hand to inform the ZBA members of the project and to answer questions they may have.

Chairman Baker reiterated that because this property is in the Special District it not only had to come through the variance process but it had to be approved by the Planning Board. The PVFD submitted a plot map and a site map and have gotten approval from the Planning Board.

Chairman Baker also said he would be recusing himself of any further information and from voting on this variance as he is on the Board of Trustees for the Piseco Volunteer Fire Department.

Craig told everyone that the addition to the existing building (formerly the PVAC building) will be 50 feet x 96 feet which will have five bays to house the firetrucks. They are building it in stages and that is why they are considering it an equipment shed. It is going in the direction of the Pro-Care business so as not to cross into the next parcel the PVFD also owns. It will be a wooden framed structure with steel. They already know of contractors that are interested in the building of it. It will go out to bid. Currently they do not know what the total cost will be. The plan is to build as they have funds for. They are not sure of the color scheme yet. Howie Parslow asked if there are any restrictions as to what can be done in a Special District or if there is guidance from the county. The only thing that matters in a Special District is that it goes through the three step process of approval. The Zoning Officer, the Planning Board and the Zoning Board. Craig noted the only restriction they have run across so far is with NYS DOT. The PVFD has been told the DOT will allow the driveway to increase from 18 feet to 28 feet. The PVFD is hoping to do a type of circular driveway. It is unknown what will be done with the old firehouse.

Chairman Baker asked if the members of the board had any other questions before voting. No one did.

Chairman Baker noted that neighbors within 500 feet of the project were notified and no one responded for or against the project. The Secretary reported two mailings came back as undeliverable.

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. 4 voted No, 1 Abstained.

(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. 4 voted No, 1 Abstained.

(3) Whether the requested variance is substantial. 4 voted Yes, 1 Abstained.

(4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood. 4 voted No, 1 Abstained.

(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. 4 voted No, 1 Abstained.

The Chairman asked for a motion that the board approve the variance. Bill Hotaling made that motion. 2nd by Jaime Parslow. 4 were in favor, 1 Abstained. So moved.

Case closed.

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

Case #2602 Jason Krenichyn of 6 Moose Lane wants to replace an existing 10' x 10' shed with a 12' x 24' shed for more storage area. His application was denied due to the project being within 100 feet of the lake. Zoning Officer Mel LaScola denied the new application due to Code #5.030 Shoreline Structure Setback – "A minimum setback of one hundred (100) feet from the shoreline is required for all structures in excess of one hundred (100) square feet except docks. One accessory structure one hundred (100) square feet or less and within one hundred (100) feet of the shoreline is allowable per lot. A. The shoreline building setback restrictions apply to all principal buildings and to all accessory structures exceeding 100 square feet in size, including garages, sheds, porches, decks, barns, gazebos, guest cottages, tennis courts and permanent swimming pools, but not including boathouses or docks".

Mel LaScola said he checked out the property Mr. Krenichyn owns. He said everything is very close together down there and not much room to work with. Everything is within 100 feet of the lake.

Jason Krenichyn had very self explanatory diagrams. One was of the existing 10' x 10' shed and the other of the proposed replacement 12' x 24' shed. He noted nothing would be any closer to the lake. There is another existing shed that straddles the property line and when Mr. Krenichyn bought his place the two neighbors decided on just sharing the shed and literally put a wall up dividing it in half. That shed is staying otherwise it would cause unnecessary problems between the two neighbors. He was hoping that even though the existing shed he is replacing is encroaching and does not have a 15 foot setback that it would be acceptable if the new shed could be placed so the back lines up where the back of the old one was. It would not be encroaching any more than the old one was. In order to meet the 15 foot setback they would lose their parking spot. The leech field is under the old existing shared shed. The septic system currently works fine. If there was a problem with it the old shared shed would have to come down. He said he needs more storage and that is why he wants the bigger shed. He could not move the shed another way because there are huge trees in the way that cannot come down per APA regulations concerning large trees near the lakes. Only trees up to six inches in diameter can be removed. Chairman Baker noted that this particular property is legal non conforming and predates APA regulations so anything that owners want to do no matter how small have to have a variance as they are all within 100 feet of the lake. They are legal within their existence. Howie Parslow wondered if the shed could be put in the opposite direction. Mr. Krenichyn noted that there would be no way to get the shed delivered as there

are also some timbers that actually look like railroad ties for support that cannot come out. Jaime Parslow commended Mr. Krenichyn on his clear presentation of the project.

Chairman Baker asked if the members of the board had any other questions before voting. No one did. Chairman Baker noted that neighbors within 500 feet of the project were notified and no one responded for or against the project.

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. 5 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. 5 voted No

(3) Whether the requested variance is substantial. 5 voted No

(4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood. 5 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. 5 voted No

The Chairman asked for a motion that the board approve the variance. Jaime Parslow made the motion to approve taking in the character of the neighborhood. 2nd by Bill Hotaling. 5 were in favor. So moved.

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 Kevin Dorr, Seconded by Howie Parslow. All were in favor (5 – 0). So moved.

There are 30 attachments to these minutes: The 1 page original variance notification for Belleville, 1 page permit denial per Zoning Officer for Belleville, 1 page variance application for Belleville, a 4 page deed for Belleville, a 6 page JIF application for Belleville, 1 page description of proposed project for Belleville, 1 page of neighbors notified of project for Belleville and map of them, 6 maps showing proposed project for Belleville, 4 new pages of project showing setback information requested for Belleville, the 1 page original variance notification for PVFD and Krenichyn, 1 page permit denial per Zoning Officer for PVFD, 1 page variance application for PVFD, a 2 page deed for PVFD, 1 page of neighbors notified of project for PVFD and map of them, a 2 page APA JIF for PVFD, a 1 page sketch of project for PVFD, a 9 page certified plan from contractor for PVFD project, 2 page permit denial per Zoning Officer for Krenichyn, 1 page variance application for Krenichyn, a 4 page JIF application for Krenichyn, 1 page map showing location of project for Krenichyn, 2 page sketches of existing and proposed project for Krenichyn, 11 page deed for Krenichyn, 1 survey map for Krenichyn.

Respectfully Submitted
Marie C. Buanno