

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

Public Special Continuation Meeting Dated:
Wednesday May 22, 2019 - 6:00 P.M.
Piseco Community Hall

Approved Minutes - Town of Arietta Zoning Board of Appeals was called to order by Bill Hotaling at 6:10 PM.

Members present: Barry Baker Kevin Dorr Bill Hotaling Doug Stobo
Secretary Marie Buanno Zoning Officer Mel LaScola **Absent:** Frank Sczerzenie

Others present: Ed Cox, Robert, Michele & John Mikus

Acting Chairman Bill Hotaling asked for the reading of the April 8, 2019 meeting minutes. Barry Baker motioned to dispense with the reading and to accept them as written. 2nd by Doug Stobo. All were in favor (3 – 0). Kevin Dorr did not vote as he was absent from the last meeting.

Bill Hotaling stated the purpose of this Special Continuation Meeting was to resume discussion on the variance application submitted for the March 25, 2019 meeting where Bob & Michele Mikus proposed a lateral expansion of their building at 857 Old Piseco Road. Since that meeting they have had the property surveyed. A copy of that survey map is attached to these minutes. It shows the property is actually 75 feet wide, not 72 feet wide. They are asking for a variance as the new building will be 40 feet wide which is approximately 2 ½ feet larger than the 50% rule. It will also be 2 feet higher than the existing building so they are also looking for a height variance. They are planning on removing the existing boathouse on the shoreline which is 12 feet x 28 feet which is almost equivalent to the additional size of the new building.

Zoning Officer Mel LaScola said he has numerous letters from neighbors of Bob & Michele Mikus in favor of the project. Barry Baker noted he was pleased to see the location of the well noted on the survey map which was asked for at a previous meeting. No other ZBA members had comments or questions.

Acting Chairman Hotaling asked for a 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 4 voted No – Baker, Dorr, Hotaling and Stobo.

(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 4 voted No – Baker, Dorr, Hotaling and Stobo.

(3) Whether the requested variance is substantial. 1 voted No – Hotaling because they are eliminating the boathouse. 3 voted Yes – Baker, Dorr and Stobo.

(4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood. All 4 voted No – Baker, Dorr, Hotaling and Stobo.

(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. 1 voted No – Dorr. 3 voted Yes – Baker, Hotaling and Stobo.

The vote whether to approve the variance: All 4 voted Yes – Baker, Dorr, Hotaling and Stobo.

Mel LaScola said nothing can be done until the APA responds and they have 30 days to do so. Bill Hotaling said he would call to see if it could be expedited.

A motion to adjourn was made at 6:20 PM by Doug Stobo and Seconded by Barry Baker. All were in favor (4-0).

Attachments: Continuance agenda.
Application denial by Mel LaScola
Survey map

Respectfully Submitted
Marie C. Buanno