

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

Public Meeting Dated:
Monday October 19, 2020 - 6:00 P.M.
Piseco Community Hall

Minutes - Town of Arietta Zoning Board of Appeals was called to order by Chairman Frank Sczerzenie at 6:01 PM.

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

Public present: Steve and Mary Blocklin

Chairman Sczerzenie asked for a motion to accept the minutes of the September 14, 2020 meeting. Barry Baker made a motion to accept as written. Seconded by Kevin Dorr. All were in favor (5 – 0).

Case #2003 – Mary K. Blocklin of 1189 Old Piseco Road wants to extend the bathroom to make room for a washing machine and dryer. The camp will be raised 1.5 to 2 feet by replacing support posts with a secure and level concrete foundation to provide adequate access to the cellar. Zoning Officer Mel LaScola told the ZBA that their plans actually need three variances as they are 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. Also under that same Code (3) Expansion of an existing non-conforming structure not meeting the shoreline setback requirements of 100 feet must also comply with the following standards: (b) Expansion does not increase the height of the existing structure and (c) Setback will be no less than 25 feet from sideline. The footprint will not be changing. The latest survey is attached with their submitted variance application. Frank Sczerzenie asked if the setback from the building on the west was further than 25 feet. Mr. Blocklin said the current camp is but not the proposed addition. Bill Hotaling asked about the age of the septic system. Mr. Blocklin said it was approximately 20 years old. Barry Baker asked what the current distance from the neighboring Ball property is with the existing structure. He guessed about 12 feet as indicated on the map.

There were no other questions from the ZBA members.

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 5 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 5 voted No.
- (3) Whether the requested variance is substantial. 3 voted No, 2 voted Yes.
- (4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood. All 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. 2 voted No, 3 voted Yes.

The vote whether to approve the variance: All 5 voted Yes.

Neighbors within 500 ft. were notified. 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 by Bill Hotaling and Seconded by Barry Baker. All were in favor (5 -0).

Attachments: Project reasons for variances needed and project plans – 30 pages

Respectfully Submitted
Marie C. Buanno