

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

Public Meeting Dated:
Monday March 22, 2021 - 6:00 P.M.
Piseco Community Hall

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

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

Members absent: Bill Hotaling

Public present: Al Johnson from Vogel Construction representing David Wilson

Chairman Sczerzenie asked for a motion to accept the minutes of the October 19, 2020 meeting. Barry Baker made a motion to accept as written. Seconded by Dave Roberts. All were in favor (4 – 0).

The Chairman handed out Guidelines for Applicants to the Zoning Board of Appeals he felt would be a quicker checklist for everyone in the future.

Case #2101 – David Wilson of 32 Millham Road wants to construct an addition to the existing house. Zoning Officer Mel LaScola told the ZBA that they are zoned 1.3 acres and they have 1.4 acres. The need for the variance is due to the existing structure being less than 100 feet from the shoreline even though the addition is going on the opposite side from the lake. Code #5.030 Shoreline Structure Setback states “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”. #5.030A states “The Shoreline building setback restrictions apply to all principal buildings and to all accessory structures exceeding 100 square feet in size”. Al Johnson stated Mr. Wilson has owned the property for fifteen years. He wants to build a 91 square foot addition on the back of the camp to act as a mudroom/laundry room so he is not walking directly into his kitchen. It is more than 30 feet from each neighbor on the sidelines. It will be on piers just like the house with no foundation. Behind the house is private property. He would like to start this spring so it can be used by the 4th of July. The washer will not be emptying into the septic but will empty into an existing dry well. There are no plans to increase the number of bedrooms. There are currently two. Frank was concerned about the waste water from the washing machine going into a drywell. If the drywell should be a problem in the future, there is plenty of room for a new septic system.

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 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. 3 voted No, 1 voted Yes.

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

Neighbors within 500 ft. were notified. No responses were received for or against the project. 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 Barry Baker and Seconded by Dave Roberts. All were in favor (4 -0).

Attachments: Project meeting announcement, 2 page building application, 2 page ZBA application, 2 page application denial from Zoning Officer, statement of purpose, list of neighbors contacted, 2 pages of drawn plans, 3 page deed, 2 page property map

Respectfully Submitted
Marie C. Buanno