

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

Public Meeting Dated:
Monday May 2, 2022 - 6:00 P.M.
Piseco Community Hall

Minutes - Town of Arietta Zoning Board of Appeals was called to order by Chairman Barry Baker at 6:11 PM.

Members present: Barry Baker Dan Fish Bill Hotaling Jaime Parslow

Members absent: Kevin Dorr

Zoning Officer Mel LaScola Secretary Marie Buanno

Public present: Fred Knapp, Chris Rhodes, Craig Small

Chairman Baker asked for roll call. Having acknowledged a quorum, he wanted to note a correction needing to be made on the minutes of April 4, 2022. The vote on variance criteria #3 should have been recorded as All 4 voting No, NOT Yes. He then asked for a motion to accept the corrected minutes of the April 4, 2022 meeting. Bill Hotaling made a motion to accept them as corrected. Seconded by Jaime Parslow. All were in favor (4 – 0).

Case #2202 – Chairman Baker noted the Town of Arietta would like to build a 60 x 100 sand/salt shed on property owned by the Town on Route 10 and asked Zoning Officer Mel LaScola to comment on how we have come to this point. Mel told the group the Town had applied to him to build but he had to deny the request as the APA considers this a Class A Regional project. The APA required that the Town of Arietta bring this project before the Zoning Board of Appeals for their variance approval before the APA can continue their process concerning it. The actual permit will be issued from the APA.

Highway Superintendent Craig Small commented on what was presented to the Town Board. Currently the sand is stored outside. In order to preserve it and keep it from freezing in place and in the trucks, 10 – 15% salt needs to be mixed with it. If it is under cover, they will be able to cut down the salt to 3 – 5% which will mean a lot less salt will be going on the roads, therefore, a lot less into the ground and lake. Currently when it rains it washes down the sand and creates like a crust of salt which eventually seeps into the ground which is not good for the nearby wild forest designation. If the sand was covered, they could just about cut the salt use in half. The existing shed used to house only salt but they took it all out and now get salt from the county shed. They put plain sand in it and although it was covered, would freeze anyway because there was no salt in it. Once the new shed is built, they would still retain the old shed. If the state isn't going to house salt on Route 8 any longer, they may have to go back to storing salt in it. It has a floor in it so it could be framed in and used to store equipment.

Chairman Baker asked for public comment. Fred Knapp said he has been an advocate for this to be done for many years. This will save on the labor costs it takes to keep mixing it up and mixing more salt in to keep the sand from freezing. Craig Small agreed with this and said he had to have extra salt on hand just for this purpose of mixing.

There were no other questions from the ZBA members. It was noted that in discussions with Highway Superintendent Craig Small the increase of impervious surface will not result in adding additional drainage. The site will be graded to provide for adequate storm water runoff.

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 4 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 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. All members were in agreement that the salt containment would actually be a benefit to the environment.

(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 4 voted No.

Dan Fish made a motion to approve the variance, 2nd by Jaime Parslow. All 4 voted Yes.

Neighbors exceeding 1,000 ft. were notified. There were no responses for or against the project.

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

Case closed.

Chairman Baker noted we will resume our second Monday of the month schedule for the ZBA meetings/hearings and he will be in contact with members if a meeting/hearing needs to be scheduled June 13, 2022.

A motion to adjourn was made by Bill Hotaling. Seconded by Jaime Parslow. All were in favor (4 -0).

Attachments to these minutes concerning the Town of Arietta sand/salt shed project includes the application denial for this project, a 5 page deed indenture and map of project location with nearest neighbors list, a 2 page APA answer to the request for a jurisdictional determination plus a 20 page Application for public uses to the APA.

Respectfully Submitted
Marie C. Buanno