

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

Public Meeting Dated:
Monday August 12, 2024 - 5:00 P.M.
Piseco School

Approved Minutes - Town of Arietta Zoning Board of Appeals was called to order by Chairman Barry Baker at 5:05 PM.

Members present: Barry Baker, Dan Fish, Bill Hotaling, Jaime Parslow

Secretary Marie Buanno

Zoning Officer Mel LaScola

Members absent: Kevin Dorr

No public in attendance.

Chairman Baker asked for roll call. With a quorum present, Chairman Baker asked for a motion to accept the minutes of the June 10, 2024 hearing. Bill Hotaling made a motion to accept the minutes as written, 2nd by Jaime Parslow. All were in favor (4 – 0).

The Case #2401 of Isaiah Wadsworth of 661 Old Piseco Road was approved with conditions at the June 10, 2024 hearing. He wants to make alterations and additions to his existing single family residential structure on the 5.90 acre parcel. His application was denied due to the project needing to be 100 feet from 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”.

In a discussion with Mr. Wadsworth by telephone during the hearing, Chairman Baker had explained to him that the 38 foot garage violates the sideline setback of 25 feet and also exceeds the 50% lot width limit. Barry indicated if he could reduce the garage to 32 feet, that would solve both code issues. Mr. Wadsworth said the proposed garage is 30 feet with an 8 foot breezeway. He was agreeable to reducing the total width to no more than 78 feet which is 50% of the 156 foot lot width. He will submit revised plans to Zoning Officer Mel LaScola.

The ZBA approved the variance with conditions that the finished length of the project, after the addition, is no longer than 78 feet, meeting the west sideline setback of 25 feet and the lot coverage of no more than 50%.

Since that hearing, Zoning Officer Mel LaScola received revised project plans from Mr. Wadsworth. The three page revised plans are attached to these minutes. The ZBA reviewed the plans and found them acceptable as all conditions have been met.

Chairman Baker said he will submit all information concerning this variance to the APA Tuesday August 13, 2024. Nothing can be done until the APA responds and they have 30 days from time of receipt to do so.

Chairman Baker asked if there was any other business to discuss. Mel LaScola said he had a situation in one of the trailer parks that finds the owner taking his time to address. Mel is going to see him soon. Mel thinks it may be held over the winter to be discussed in the spring or not at all depending on the owners input or lack thereof.

Bill Hotaling asked Mel about his comment at the Town Board meeting concerning requiring people to have a survey map when applying for a variance. The ZBA members present think it is a good idea. It would have to be brought to the Planning Board in order to change the Town code on that requirement. Another topic that should be addressed is the definition of “hardship” when applying for a variance. The term should be defined

on the application. A hardship could be property related why a variance is needed such as, a large unmovable boulder is in the way or a septic system is present. It could also be a personal, physical reason such as, the need for a wheelchair ramp and the only way to accomplish this is to build too close to the road or setback. Mel will bring this to the Planning Board.

Updates on a couple of projects that the ZBA approved variances on: Blessing – the pad has been poured. Belleville – Mel said they reduced the size of the project that was approved by the ZBA variance. There is a lot of blasting of bedrock currently happening. Mel is watching as both projects progress.

A motion to adjourn was made by Barry Baker. Seconded by Jaime Parslow. All were in favor (4 – 0).

The next ZBA meeting is scheduled for Monday September 9, 2024.

There is one attachment to these minutes: The 3 page revised project plans for Wadsworth.

Respectfully Submitted
Marie C. Buanno