

**Town of Sand Lake
Zoning Board of Appeals (ZBA)
March 21, 2019**

The minutes, as follows, are intended to provide a general summary of the Agenda items and Public Hearings. Quotes presented are not verbatim, nor is all discussion which occurred presented herein. This document should not be relied upon as a transcript or the actual proceedings. The transcript of this meeting is on a digital voice recorder and available at the Town Hall.

CALL TO ORDER: Melissa Toni opened the meeting at 7:00 PM

MEMBERS PRESENT: Melissa Toni
Jeb Bond
Scott Bendett
Stuart Nippes

MEMBERS ABSENT: Geraldine Burger, Craig Crist, Esq.

OTHERS PRESENT: Michael Hoffay, Karen Kelly, Dan Holser, Karol O’Sullivan

RECORDING CLERK: Laura Fedoreshenko, Clerk for Planning Board and ZBA

Area Variance Application

Dan Holser
Huntley Road
Averill Park, NY 12018
R – Residential Zoning District

Tax Map #159.-1-73

Lot Size: 5 acres

An Area Variance Application for proposed subdivision lot with insufficient road frontage which exceeds the lot to width ratio of 3:1.

Melissa Toni (MT) explained the order of the meeting. Daniel Holser presented before the ZBA stating he is requesting an area variance for a proposed subdivision lot with insufficient road frontage due to exceeding the lot to width ratio of 3:1. MT stated that the proposed plan has a 3:1 ratio requirement issue as the proposed plan is at a 6:1 ratio. Mr. Holser noted that this 5-acre plan is identical to the lot next to it which he subdivided and the Town approved three years ago. MT reviewed with Mr. Holser the length to width requirement utilizing survey map and asked why conformance to the code cannot be done. Mr. Holser explained he did not have any idea that the lot was non-conforming and that the tail end of the lot drops down an approximate 30-foot steep slope. He also stated that he does not have any property on Holcomb Road so all access needs to be on Huntley Road.

MT stated there are two decisions to be made and motions to: 1. Request recommendation from the Planning Board (PB) which is seconded by Scott Bendett (SB) and all approved; 2. Decide if application is complete for Public Hearing on April 18, 2019 at 7PM which is seconded by Jeb Bond (JB) and all approved. PB members had a discussion on the details and (SB) stated that he had been to this site and understands the typography. Mr. Holser invited other members of the ZBA to visit for a site review. MT asked if Mr. Holser prefers to be present upon ZBA members visit to the site for which he replied yes.

MT then asked Mr. Holser if ZBA members can visit separately to which Mr. Holser agreed asking them to come two at a time for the visit and recommended a telephone phone call ahead of time so he can be available.

Area Variance Application

Michael Hoffay

Jim Kelly (Property Owner)

2389 Rt. 43

Averill Park, NY 120198

R – Residential Zoning District

Tax Map #159.4-3-5

Lot Size: 70 sq. ft. x 80 sq. ft.

An Area Variance Application for a deficient shoreline setback of 12' related to replacement of an existing deck with a new 16' x 10' sunroom and 8'x 10' deck.

Contractor Michael Hoffay presented on behalf of the Kelly's stating that the property owners wish to replace a current deck with a three-season sunroom and new deck on their home on Crooked Lake. Mr. Hoffay explained that this project will have a flat roofline, be the same width as the house, will continue the character and colors and include white vinyl siding with lattice work underneath. He further stated the only issue is that it will be close to the water; however no closer than the neighbors thus would not impede side to side vision. Stuart Nippes (SN) referred to the pictures taken by Mr. Hoffay and asked if the tree between properties would remain for which Mr. Hoffay responded that they would like to keep the tree, if possible. SN referred to another picture and asked if this structure would go out any further than the neighbor's deck and Mr. Hoffay replied no indicating he would end up being about 4 foot from the above-mentioned tree. MT stated that as the ZBA has all that is needed, a Public Hearing would be scheduled for April 18, 2018 at 7PM and explained that process. Karen Kelly stepped forward to make a correction explaining that Jim Kelly was her father and he had signed the application on her behalf as she was traveling at the time. Ms. Kelly then inquired about the neighbors who would receive the Public Hearing notification. Karol O'Sullivan discussed the details of the notification process to Ms. Kelly. MT asked Ms. Kelly whether she would mind if ZBA members stopped by for a site visit to which Ms. Kelly responded she did not mind. With no further questions, MT motioned to schedule the Public Hearing for April 18, 2019 at 7PM which was seconded by SB and all approved.

MINUTES – SB approved the November 21, 2018 minutes as submitted and Jeb Bond second the motion and all approved

ADJOURNMENT – SN motioned to close the meeting at 7:15 PM, SB seconded the motion and all approved to close the meeting.