

**Town of Sand Lake
Zoning Board of Appeals (ZBA)
May 16, 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: Geraldine Burger opened the meeting at 7:04 PM

MEMBERS PRESENT: Jeb Bond
Scott Bendett
Stuart Nippes
Craig Crist, Esq.
Geraldine 1

MEMBERS ABSENT: Melissa Toni

OTHERS PRESENT: Danforth Chriss, Mike Wager, Don Moore

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

Area Variance Application

Danforth Chriss
125 Kipple Road
Sand Lake, NY 12153
RR – Rural/Residential Zoning District

Tax Map #161.-2-3

Lot Size: 18.5 acres

An Area Variance Application for construction of a 40' x 60' steel garage 20' into the front yard setback.

Geraldine Burger (GB) explained the order of the meeting. For clarification purposes, Craig Crist (CC) explained that GB would be the acting Chairperson due to the absence of Melissa Toni. Danforth Chriss presented on need for an area variance due to 20' setback in front of house with ability to utilize lower part of existing driveway, for the construction of a 40' x 60' steel garage. Mr. Chriss then handed out to ZBA members an aerial picture of the proposed site. He then explained that Mike Wager had been to the site and reviewed the location. Mr. Chriss further explained that his current garage is part of the basement with a banked hill on each side; thus in order to locate the proposed garage behind the house, it would require removal of a mass amount of a bank/soil, be close to his leach field and create additional drainage issues. He stated that the proposed location would be 20' in front of existing building's property line yet still be 107' off of center line of road and with the existing landscaping, it would not be noticeable that the new garage would 20' in front of the house. He closed by stating that it would be a personal garage and proposed location would utilize the existing driveway. Stuart Nippes (SN) mentioned that he had done a drive by of the location and asked if the buildings in the back were on Mr. Chriss' property. Mr. Chriss responded yes and indicated that his property goes down to the Doberts' and the first field is his corner. SN mentioned he had been in the area and asked if a pool had

been drained. Mr. Chriss responded no and then explained that when his house was built, a French drain had been used and there is a crushed pipe which needs to be fixed. He added that is part of the reason for not wanting to disturb that area for the proposed garage which could create additional drainage issues. Mr. Chriss then shared some sample pictures of what the proposed garage would look like adding that proposed colors would be green/brown to blend in with area. SN asked if it was definite that a 40' x 60' garage would be built as it seemed large. Mr. Chriss responded yes as he collected cars and needs a place to store them so they would not be ruined. GB asked Mr. Chriss if he had spoken with the neighbors. Mr. Chriss replied that he had spoken with next door neighbor, Mark Southard, who was the previous owner of the property and he had no issues. Mr. Chriss then mentioned that the lower parcel is for sale; thus, unknown who the new owners will be and other surrounding land may be purchased by a local dentist. GB explained that the Town would be sending out neighbor letters. Mr. Chriss acknowledged and added that while he could push the proposed garage back 20', if needed, however felt he would be far enough off the road that the variance would not be a big issue and believed neighbors would not have an issue. GB mentioned that she reviewed the environmental assessment form and did not see anything issues. Mr. Chriss responded that the plan would be to remove a few trees; however, no large or old trees as some of the area is already open. GB asked if the garage would be a stand alone without hook up to anything. Mr. Chriss responded that he might hook it up to electric eventually. With no other questions from the ZBA members, Scott Bendett (SB) motioned to set the Public Hearing for June 6, 2019; seconded by SN and all approved.

Area Variance Application

Donald Moore (Contractor)

Ian Osterlitz (Property Owner)

34 Boylan Road

Averill Park, NY 120198

R – Residential Zoning District

Tax Map #159.4-1-4.2

Lot Size: 1.0 acres

An Area Variance Application to construct a 28' x 40' single-story garage in the front yard setback.

Donald Moore presented on need for area variance for a proposed garage to be off the center of the road to the site of the proposed garage and added that all other setbacks are within the guidelines. Mr. Moore added that the proposed location was selected so it would be in the corner and ¾ of the building would be surrounded by trees, thus hidden. He further explained that the proposed location is the only area on property to build it as they have a leach field in the front yard. SB mentioned that he had a difficult time pinpointing the proposed location by the sketch submitted; a conversation then ensued to clarify with Mr. Moore. Mike Wager indicated that SB had the right location. GB stated she did not have a copy of the sketch and asked exactly where the garage was going. Mr. Moore responded that the garage would go on the back side of the house as the front of house faces the lake. GB clarified for all that the house faces the lake and the proposed garage would be in rear of the house closer to Boylan Drive and Mr. Moore agreed. SN asked if the area has been all measured out due to a wellhead nearby. Mr. Moore responded that he did and the wellhead would be outside of the garage by approximately 8-9'. SN asked what was the distance between house and proposed garage for which Mr. Moore responded 12'. GB asked if the proposed garage would be freestanding with

possible connection of electric for which Mr. Moore agreed. GB stated that a review of the Environmental Assessment form reflected no issues. GB asked Mr. Moore if he had spoken to his neighbors. Mr. Moore responded that he had spoken with Steve Ketcham and the other neighbors who reside there seasonally. GB explained that neighbor letters would be sent by the Town and then asked to review a diagram of the construction as she had not seen it. Mr. Moore explained that the garage would match the house with same color siding and shingles and be single story. SN asked if the garage would be two bays with a workshop. Mr. Moore agreed adding that the doors would be off the private drive side and then the site plan map was reviewed for clarification. SB motioned to set the Public Hearing for June 6, 2019; seconded by SN and all approved.

Area Variance Application

Michael Wager
311 Sheer Road
Averill Park, NY 12018
AR – Agriculture/Residential Zoning District

Tax Map #158.-1-16

Lot Size: 8 acres

An Area Variance Application to construct a 40'x60' pole barn in the front yard setback.

Michael Wager presented and stated he is seeking an Area Variance for a proposed barn to be utilized to store hay. Mr. Wager handed out an aerial picture and explained the topography of the site. He stated that there was not a lot of level ground due to a ravine and then the land dropping off; thus, the proposed site is the most convenient location for the proposed barn as it would not disturb much soil. Mr. Wager added that the proposed location can be easily driven up for storing/accessing the hay and preferred not to give up any of the field, if possible. He further added that the barn would be 150-151' from the street and referred to a site map to reflect location of proposed pole barn. GB asked Mr. Wager if he felt that this proposal was the best use of the property for haying which is part of their income. Mr. Wager responded that was correct and added that the proposed site would not require a new roadway/driveway as access to front of proposed barn would utilize existing driveway. Mr. Wager added that the building will be 40'x60' for a total of 2400 square feet. Mr. Wager then shared a sample picture of what the pole barn would resemble. GB asked if the structure would be one story. Mr. Wager responded yes adding that the walls would be 12' high with a 10' high doorway, truss system on top and include 1-2 possible cupolas. He further stated it would have a dark brown metal roof, barn red siding and would match other agricultural barns in the area. GB explained that the Town would be sending out neighbor letters and asked Mr. Wager if had spoken with any neighbors. Mr. Wager responded that he had spoken with the Kelley's as well as a gentleman who lived across the street and did not believe anyone would have an issue with the proposed site of the structure. GB asked what utilities may be hooked up. Mr. Wager responded that electric would be needed for lighting and a fan for ventilation when it is hot. GB stated that a review of the Environmental Assessment form reflected no issues. Mr. Wager agreed adding that the footprint would be 2400 square feet and location of proposed structure would not disturb any additional soil/land making it the best fit for his needs. He further mentioned that to place the structure in another location would require another 700' driveway to go behind his dwelling and result in a large cost which would cut into their profit. SB motioned to set the Public Hearing for June 6, 2019; seconded by SN and all approved.

MINUTES –

ADJOURNMENT – SB motioned to close the meeting at 7:21 PM, SN seconded the motion and all approved to close the meeting.