

**Town of Sand Lake  
Zoning Board of Appeals (ZBA)  
November 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 7:02 PM

MEMBERS PRESENT: Melissa Toni  
Jeb Bond  
Stuart Nippes  
Craig Crist, Esq.  
Geraldine Burger  
Scott Bendett

MEMBERS ABSENT:

OTHERS PRESENT: Andrew Bulmer, Moira Bulmer, Monica Ryan

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

**Area Variance Application**

Andrew Bulmer  
24 Stone Camp Way  
Averill Park, NY 12018

**Tax Map #170.2-1-4**

Lot Size: 1.84 acres

An Area Variance Application to construct a single-family dwelling with deficient yard setbacks.

Melissa Toni (MT) explained the two-step process for Area Variance Applications. Andrew and Moira Bulmer stepped forward. Mr. Bulmer stated that they had purchased the property and proposed to rebuild a structure that had previously existed. Mr. Bulmer explained that initial discussions with the Planning Office resulted in the proposed plan needing an Area Variance for the front yard setback. He further stated that a site visit done afterwards by Michael Wager and Tim Lawrence determined that insufficient side yard setback also existed and had been added to the Area Variance Application. Monica Ryan explained that while a camp previously existed, it had been removed back in 2011. She further explained that the Area Variances were needed as the proposed project was beyond the Zoning Code time period of 24-months for the rebuild of a non-conforming structure. Mr. Bulmer stated water, sewer and electric existed on the site. Mr. Bulmer explained that their efforts to place the house in the center of the property resulted in being unable to meet the required side setbacks of 20' foot on one side and -30' on the other as they were short 5' on the 20' side. Mr. Bulmer explained that the previous house was approximately 17' from the water. He stated that they proposed for the new house to be an additional 13' back for a total of approximately 30' from the water. He added that by doing this, it would provide more greenspace for the lake community. Moira Bulmer stated that an adjacent neighbor had recently built a house and believed that they had needed a couple of Area Variances for their front yard setback. She added that their move of the proposed house back from the water would align the homes and not block the neighbors' lake view. Mr. Bulmer stated that he believed the previous house location was done to provide more greenspace on the one side. Mr. Bulmer then shared pictures he had taken of the existing

sewer on the site. He added that the front of the previous house was 28.4' wide and the proposed structure would be expanded to 40' wide. He then explained that the back of the proposed house would be 38.4' deep. Mrs. Bulmer explained that the property was unique in that it was 1.84 acres, ran to Methodist Farm Road and had an access road. She added that while seeking an Area Variance, they would not be coming off of someone else's road for access. MT asked if there were any questions. Jeb Bond (JB) asked for clarification on the actual dimensions for the proposed home. Mr. Bulmer replied 40' x 38.4' for a total of 1,520 square feet. Mr. Bulmer then referred to a picture included in the Area Variance Application which reflected how close the previous structure was in relation to the water. He added that they would like to move the proposed house as close to the road as feasible to allow for greenspace. Mrs. Bulmer added that they may also be able to obtain a picture of the adjacent structure that recently had been built. MT and Mrs. Bulmer reviewed site pictures for clarification on which side of the property the adjacent house had been built on. Ms. Ryan pointed out that there were also areal views. MT asked, if possible, would the trees be preserved. Mrs. Bulmer replied yes, absolutely. Mr. Bulmer added that a hedge row existed on the one side and the other side had some overgrowth and scrub pines. He added that they planned to keep as many as feasible. Ms. Bulmer stated that they wished to preserve as much as possible for the aesthetic value of the lakeside. With no further questions, MT motioned to schedule the Public Hearing for December 19 at 7:00pm; seconded by JB and all approved.

**ADDITIONAL BUSINESS:**

**Planning Board Recommendations on Area Variance Applications:**

MT stated that the ZBA had received two recommendations from the Planning Board (PB). She explained that a positive recommendation had been provided for the Betsy Owens Area Variance Application and the other was a negative recommendation for the Rocco Testo Area Variance Application. Ms. Ryan clarified that the one for Rocco Testo involved the need for two Area Variances to cover the insufficient 3:1 depth to width ratio and the insufficient lot width. MT added that the Zoning Board of Appeals (ZBA) members may wish to perform a site visit to the Rocco Testo site considering it received a negative recommendation from the PB. Craig Crist (CC) added that ZBA members should always ensure there is permission from the owner prior to performing a site visit. Ms. Ryan explained that the Rocco Testo Application included a release statement had been signed by the applicant which granted permission for a site visit. MT alerted ZBA members that December's ZBA meeting may consist of three Public Hearings.

**Separation of ZBA Members**

Stuart Nippes announced his resignation from the ZBA effective January 1, 2020 as a result of his Town of Sand Lake Councilman election.

Jeb Bond announced his resignation from the ZBA effective January 1, 2020. Mr. Bond was thanked for his 14 years of service on the ZBA.

**RESOLUTION –**

**Area Variance for Barbara Schulman**

MT read in full the drafted Resolution.

MT motioned to approve the Resolution in its entirety; seconded by Stuart Nippes (SN) and all approved.

**MINUTES**

**ADJOURNMENT** – Scott Bendett (SB) motioned to close the meeting at 7:20PM, seconded by MT and all approved to close the meeting.