

**Town of Sand Lake
Zoning Board of Appeals, (ZBA)
October 22, 2015**

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 of the actual proceedings. The transcript of this meeting is on a digital voice recorder and available at the Town Hall.

CALL TO ORDER: Chairwoman Judy Breselor called the meeting to order at 7:00 pm stating that all members are present.

MEMBERS PRESENT: Chairwoman Judy Breselor
Scott Bendett
John Bond
Geraldine Burger
Melissa Toni
Lawrence Howard, Esq., ZBA Attorney

OTHERS PRESENT: David H. Ernst Sr., David H. Ernst Jr., Bonnie Cook, Betty Foley, Stephen Beebie, and Monica Ryan, Town Planner

RECORDING SECRETARY: Monica M. Hardy

AREA VARIANCE – 3’ Side Yard Setback

Bonnie Cook
2 Snyder Road
West Sand Lake, NY 12196

Tax Map ID: 146.4-1-44

Bonnie Cook explained her hardship. She would like to construct a carport attached to the side of her house but she does not have the required side yard setback. The reason for the carport is that all roof run-off is dripping down on her front step which causes ice buildup in the winter. This is a safety issue for her and any company she may have. She lives alone. She is requesting an Area Variance for a side yard setback of 3 feet for the construction of a 12’ x 16’ carport to attach to her single-family residence.

The carport would be constructed in a wetland buffer. Bonnie Cook did receive the Wetlands Permit from DEC that was requested. We received the 239 Review from the Rensselaer County Bureau of Planning and also a positive recommendation from the Planning Board.

Judy Breselor opened up the Public Hearing at 7:08. There was no one in attendance. The Public Hearing was closed at 7:09.

The Board discussed whether or not gutters should be required to mitigate run-off into the wetland based on a Planning Board recommendation that gutters be put up on the new carport. Jeb Bond mentioned the fact that the house itself already consisted of plenty of gutters which now drain to the front step. Melissa Toni asked Bonnie if she committed to putting up gutters on her application. Bonnie replied, "no". Melissa Toni and the rest of the Board did not feel gutters were needed.

A motion was made by Jeb Bond and seconded by Scott Bendett and unanimously carried that this be listed as a Type II Action under SEQRA and will have no negative impact on the environment.

A motion was made by Judy Breselor and seconded by Melissa Toni and unanimously carried to **APPROVE** the application for an Area Variance to construct a carport.

AREA VARIANCE – Front Yard Setback 30’ and Shoreline Setback 100’

David Ernst
Zion’s UCC of Taborton
741 Taborton Road
Sand Lake, NY 12153

David Ernst Sr., representing the Zion’s UCC of Taborton, approached the Board to explain the proposed project. They would like to remove the existing hall and replace it with a new hall setback further from the road and attach it to the existing pavilion with a roofed walkway. He explained that the existing hall requires substantial, costly structural improvements for its continued use and is not cost effective. The building is old and has deteriorated beyond repair. The location of the front door is so close to the road it is a hazard to the motorist and pedestrians. The new building would setback off the road and it would be handicapped accessible. It will be a one story building with an attached truss over the dining room, which is where Sunday school will be held.

Judy Breselor opened the Public Hearing at 7:26. David Ernst Jr. spoke in support of the project. The Board asked questions about the capacity. David Ernst said this building holds an occupancy of 99 members. There are 2 bathrooms and one kitchen. When they have outside functions they bring in portable sanitation facilities. Judy closed the Public Hearing at 7:30.

A motion was made by Judy Breselor and seconded by Jeb Bond and unanimously carried that this be listed as a Type II SEQRA and no further studies are needed.

A motion was made by Judy Breselor and seconded by Scott Bendett to APPROVE this application for an Area Variance for a front yard setback of 30 feet and an Area Variance for a shoreline setback of 100 feet to construct a new Fellowship Hall and attach it to the existing pavilion.

MINUTES

A motion was made by Jeb Bond and seconded by Scott Bendett and unanimously carried to approve the August 2015 minutes as written.

A motion was made by Judy Breselor and seconded by Melissa Toni and unanimously carried to approve the September 2015 minutes as written.

ADJOURNMENT

A motion was made by Judy Breselor and seconded by Scott Bendett and unanimously carried to adjourn the meeting at 7:40.

Respectively Submitted,

Monica M. Hardy
Secretary, ZBA

