

**Town of Sand Lake
Zoning Board of Appeals (ZBA)
September 10, 2020**

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: Geraldine Burger
Scott Bendett
Amy Lent
Wayne Gendron
Craig Crist, Esq.

MEMBERS ABSENT:

OTHERS PRESENT: Jason Grignon, Monica Ryan (Town Planner)

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

Area Variance Application

Jason Grignon

69 Capital Boulevard

West Sand Lake, NY 12196

R – Residential Zoning District

Tax Map # 146.-2-6-7

Lot Size: 0.71 acres

An Area Variance Application to place an accessory structure in the front yard setback of a residential lot.

Melissa Toni (MT) explained the Area Variance process and asked the applicant to present the project. Jason Grignon was present to represent the project. He stated that they had purchased the house back October, 2019 and that the previous owner had noted that there was some standing water in the back corner of the property, no issue was evident when they viewed the house. He explained that upon taking residence, they realized how wet the back yard actually is between Fall and Spring. Mr. Grignon further explained that water received from the Town culvert pipe located up the street from the home as well as runoff from the hill to the side of the house caused a decent amount of water issues. He added that in a hard rain, the lawn flooded. Mr. Grignon stated that the parcel run-off slopes from the road towards the backyard and drainage was not good. Mr. Grignon stated that upon ordering the shed in the middle of March, he was led to believe that he would have a couple of months before delivery. He stated that he had a friend help with some site work to prepare for the shed to be placed up and in the driest area possible. MT stated that the shed was located 100% in the front yard versus behind the front yard setback of the primary structure. MT further stated that there had recently been another similar request; however, noted it was moved into the backyard; thus, no longer an issue. MT went onto say that the ZBA did not have a history of approving such Area Variance requests for 100% in the front yard as a majority of times there was an alternative. She added that even with a wet area, gravel or some sort of pad could be utilized. MT asked how wet the back/side area would get. Mr. Grignon replied that 20-30' off the side of the deck, he was unable to walk across half the lawn when wet through the Fall, Winter and Spring seasons and it stayed that way until about mid-June when everything started to dry up. Mr. Grignon further explained that there was not room in the back yard as the shed would be too close to the property

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line and to pull it in closer would basically place it on top of the pool. SB stated that he had done a site visit and spoke with Mr. Grignon. Scott Bendett (SB) added that the Town culvert pipe could potentially be part of the issue with the water onto the property. SB then stated that he reached out to Brian Hunt of the Town Highway Dept who indicated he would be willing to visit the site to see if excess water flowed onto the property and if there was a way to mitigate it. Mr. Grignon advised that he worked with Mr. Hunt at the Town Highway Dept and would talk with him. He added that had he been aware of the water issues prior to purchase, he's not sure he would have bought the home. MT stated that a site visit may be needed and arrangements were made with the applicant for Board members to visit individually. MT also stated any new information from the Town Highway Dept or Mr. Gignon should be submitted to the Planning Department by October 1. With no further questions and the application deemed complete; MT motioned to schedule the Public Hearing for October 15, 2020; seconded by Wayne Gendron (WG) and all approved.

Adoption of Negative Declaration for the Estate of Michael Lomonoco, Jr.

MT motioned to waive the full reading of the drafted Negative Declaration; seconded by WG and all approved.

MT motioned to approve the Negative Declaration in its entirety; seconded by Geraldine Burger (GB) and all approved.

Area Variance Application for the Estate of Michael Lomonoco, Jr.

MT motioned to waive the full reading of the drafted Resolution; seconded by GB and all approved.

MT motioned to approve the Resolution in its entirety; seconded by GB and all approved.

Area Variance Application for Anne Bower

MT motioned to waive the full reading of the drafted Resolution; seconded by WG and all approved.

MT motioned to approve the Resolution in its entirety; seconded by SB and all approved.

DRAFT MINUTES FOR APPROVAL – MT motioned to accept the February 9, 2020 minutes as submitted, seconded by Amy Lent (AL) and all approved.

ADJOURNMENT - SB motioned to close the meeting at 7:22pm; seconded by MT and all approved.