

ZONING BOARD OF APPEALS MEETING MINUTES - FINAL
WEDNESDAY, JULY 25, 2018

MEMBERS PRESENT:

Rocco Mancini, Chairman
Stephanie Fitzpatrick
Ingrid Kulick
John Schneider
Phillip Zemke

MEMBERS ABSENT:

None

ALSO PRESENT:

Chairman Mancini opened the meeting at 7:00 p.m.

Public Hearings: None

Applications:

1. **Wallace-Silverman Area Variance** – Michael Hoyt was present as the authorized representative for Nancy Wallace-Silverman’s area variance application for the extension of an existing deck on property located at 585a Spring Lake Road, tax grid number 6474-00-107078 in the A3A zoning district. He provided pictures to the Board and said the existing deck is a four foot deck by the side door and they are proposing to extend it which will require a side and front setback reduction. Mr. Zemke said the Board will need a map showing the exact setbacks to the property lines. He suggested enlarging that area of the map to make it easier to read and drawing in the exact dimensions from the deck to the property lines. The board will visit the property individually which was agreeable to Mr. Hoyt.

A motion was made by Mr. Zemke and seconded by Ms. Fitzpatrick that the Zoning Board of Appeals declare this area variance application to be a Type II action under SEQRA.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 5-0.

A motion was made by Mr. Zemke and seconded by Ms. Kulick to set the date for the public hearing for this area variance application for the August 29, 2018 meeting pending receipt of the enlarged map showing the exact setbacks to the property lines.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 5-0.

2. **Charny Area Variance** - Mr. Zemke recused himself from this application and left the meeting table because he is assisting the applicant with the design of the deck. Nathaniel Charny appeared before the Board to present his area variance

application to allow the extension of an existing back deck to be located approximately 30 feet from the side property line where 35 feet are required. The property is located at 105 Round Lake Road, tax grid number 6370-00-732831 in the A3A zoning district. Mr. Charny showed the Board the sketch of the existing deck and the proposed extension. He said the existing stairs will be removed and they will be adding 10 feet to the existing deck.

A motion was made by Ms. Kulick and seconded by Ms. Fitzpatrick that the Zoning Board of Appeals declare this area variance application to be a Type II action under SEQRA.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Recused
Ingrid Kulick	Aye		

Motion carried 4-0.

A motion was made by Ms. Kulick and seconded by Ms. Fitzpatrick to set the date for the public hearing for this area variance application for the August 29, 2018 meeting.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Recused
Ingrid Kulick	Aye		

Motion carried 4-0.

Mr. Zemke re-joined the meeting table.

Discussion Items/Correspondence:

- **Jerry and Roberta Boyle** - The Boyles were before the Board in February of 2018 seeking a variance to construct a 14'x18' storage building with an attached 6'x14' porch located 5 feet from the side property line where 35 feet are required and 15 feet from the rear property line where 35 feet are required on property located at 56 East Lake Lane, tax grid number 6474-00-174032 in the A3A zoning district. They were granted the variance with no conditions. The Boyles have asked the following question: Would they need to come back before the Board to amend this variance or obtain a new variance if they made this accessory building an 18'x18' guest cottage with a composting toilet but no cooking facilities? This cottage would be a place for their children to sleep when they come home from college. They would not be infringing any further into the setback that was granted for the variance. The Board considered the request noting the changes in the structure being an increase in the size from 14'x18' to 18'x18', it will no longer be a storage shed but a sleeping room, and a composting toilet will be installed. After some discussion, the Board determined that because both structures are considered accessory structures, the size increase is minor, and they would not be encroaching any further into the setback area, the Boyles do not need to apply for a modification to the variance that was granted. However, the Boyles will have to meet the NYS building code requirements for a sleeping room. The ZBA will also request the building inspector put a note on the CO that

