

ZONING BOARD OF APPEALS MEETING MINUTES – FINAL
WEDNESDAY, MAY 27, 2020

MEMBERS PRESENT:

MEMBERS ABSENT:

Rocco Mancini, Chairman
Ingrid Kulick
John Schneider
Phillip Zemke

Stephanie Fitzpatrick

ALSO PRESENT:

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

Public Hearings Re-Schedule:

The public hearings for Donald Raffa, 29 Burnett Lane, and Jeremy Hitzig, 241 Shookville Road, were originally scheduled for the March ZBA meeting. Due to the restrictions placed on public meetings because of COVID-19, the public hearings were never held.

Mr. Zemke motioned to re-schedule the Raffa and Hitzig public hearings for the June 24, 2020 ZBA meeting. Ms. Kulick seconded.

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

Motion carried 4-0.

Sabina Brandt, Knob Hill Road, whose application was also scheduled for a public hearing in March, has withdrawn her application.

Applications:

- 1. Adams Area Variances** – Aaron and Juliette Adams appeared seeking an area variance to locate a garage approximately 60 feet from the front property line and in front of the front building line of the dwelling on property located at 353 Shookville Road, tax grid number 6473-00-290198 in the A3A zoning district. This is a variance from Section 200-18.A.2, Accessory Uses, Buildings and Structures and Table B which requires an 85 foot front yard setback. The property slopes in the back so this is the best location for the garage. The Adamses had previously applied for a variance for a shed in about the same location but decided to forfeit the shed and build a garage. They have received approval to extend the driveway into a circular drive. Mr. Zemke said the application appears to be complete and the Board agreed. The garage is staked out as well as the circle area for the driveway extension. The garage will be 24.5 x 38 square feet and will have electric. The board is welcome to visit the site.

Mr. Zemke motioned that the Board declare the Adams area variance application a Type II action under SEQRA requiring no further action. Ms. Kulick seconded.

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

Motion carried 4-0.

Mr. Zemke motioned that the Adams application is complete and that the public hearing be scheduled for the June 24, 2020 Zoning Board of Appeals meeting.

Mr. Schneider seconded.

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

Motion carried 4-0.

- 2. Maxwell/Dierig Special Use Permit** – Martin Willms appeared as the authorized representative for Christopher Dierig and Douglas Maxwell for their special use permit application for an accessory apartment on property located at 100 Rocann Drive, tax grid number 6471-00-025504 in the A3A zoning district. Mr. Willms said the end result will be a primary residence and a detached one bedroom accessory apartment. The apartment was built first and is considered the primary dwelling. Once the primary dwelling is built, the apartment will become the accessory dwelling. The septic system was designed for a one bedroom accessory apartment and a two bedroom primary dwelling. This lot was created as part of a subdivision and building envelopes and a conservation easement area were planned into the subdivision. Both residences are within the building envelope. Once the special use permit is granted, we will be able to get the building permit for the primary dwelling. The building to the right will be taken down prior to the construction of the second residence. It is currently being used for the storage of building materials. The 1,600 foot driveway comes off of the cul de sac of Rocann Drive. The well is for the accessory but not the primary. The well for the primary will be going to the north of the house. It is a very rocky site. Mr. Willms said he has a spot for the well but has to see how the house is going to be situated. The electric utilities are in. The board is welcome to visit the site any time. Mr. Willms said he will stake out the location of the primary house. The contractors are there pretty much all day most days.

Mr. Zemke motioned that the Board declare the Maxwell/Dierig special use permit application a Type II action under SEQRA requiring no further action.

Ms. Kulick seconded.

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

Motion carried 4-0.

Mr. Zemke motioned that the Maxwell/Dierig application is complete and that the public hearing be scheduled for the June 24, 2020 Zoning Board of Appeals meeting. Mr. Schneider seconded.

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

Motion carried 4-0.

- **Benepe/Bard Area Variance/Special Use Permit** - Jessica and Johanna Bard were present for the area variance and special use permit applications for Callum Benepe and Jessica Bard for an accessory dwelling unit on property located at 544 Field Road, tax grid number 6571-00-066136 in the A3A zoning district. The apartment is proposed to be within the primary dwelling which is a split level and is open in one area. They will construct a wall to create the apartment. The entire downstairs will be one space and then upstairs will be the other. They will be adding a kitchenette. The house was built in 1966 then bought and renovated in 1987. It is all up to code. The downstairs has a private entrance. Mr. Zemke said you need to identify in the plan where the apartment will be. The wall will not be an architectural issue since the area is already open with no support. Mr. Zemke said the plan needs to show what you are doing. It needs to illustrate what the house looks like now, what is the new construction and show utilities; i.e. toilets and sinks. The adequacy of the septic system needs to be confirmed. Jessica said she will provide the floor plan from the appraisal. Nothing interior is changing except for the addition of the wall and kitchenette. Mr. Schneider said they should show the dimensions and fixtures. Mr. Zemke said the board also needs to see a site plan which shows an image of the property and the location of the building, well, septic and parking.

Mr. Zemke motioned that the Board declare the Benepe/Bard special use permit application a Type II action under SEQRA requiring no further action. Ms. Kulick seconded.

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

Motion carried 4-0.

Mr. Zemke motioned that the public hearing for the Benepe/Bard application be scheduled for the June 24, 2020 Zoning Board of Appeals meeting contingent upon the floor plan with the requested changes and the site plan with the requested information be submitted no later than June 10th. Mr. Schneider seconded.

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

Motion carried 4-0.

Discussion Items/Correspondence: None

Administrative Items:

- **Approval of Minutes:** A motion was made by Ms. Kulick and seconded by Mr. Zemke that the Zoning Board of Appeals accepts the minutes of the February 26, 2020 meeting as presented.

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

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Motion carried 4-0.

A motion was made by Ms. Kulick and seconded by Mr. Schneider to adjourn the meeting at 8:10 p.m.

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

Motion carried 4-0.

The next regular meeting will be held on **Wednesday, June 24, 2020** at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board