MOTION BY: SECONDED BY: AYES: NAYS: **ABSTENTIONS: ABSENT:** By: Rosaria Peplow, Town Clerk DISTRIBUTION: OFFICIAL MINUTES BOOK - TOWN CLERK - BLDG DEPT. Date: **ZBA MEETING MINUTES** TOWN OF LLOYD ZONING BOARD Thursday, February 16, 2017 Postponed from February 9, 2017 CALL TO ORDER TIME: 7:13pm PLEDGE OF ALLEGIANCE **ATTENDANCE** Present: Paul Gargiulo, Alan Hartman, Paul Symes, Anthony Giangrasso; Deputy Building Inspector, Michael Guerriero, Town Board Liaison Absent: Anthony Pavese, John Litts, Peter Paulsen, Elaine Rivera ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES. <u>New Business</u> Watkins, Charles and Corinne, Use and Area Variance 22 Blue Point Rd, 96.3-1-14, in R1 zone with 0.5 acre lot. The applicant is requesting a 20 ft. side yard setback variance to be able to add a 26' x 16' addition. This would leave the building with 15 foot side yard setbacks on both sides, totaling 30 ft. In the R1 zone the required total side yard setbacks is 50 ft. Their intent is to add an accessory apartment to provide personal family care for Corinne's mother. The applicant is requesting a Use variance also, he is in the R 1 zone and his parcel is non-conforming at .5 acre. The code for an Accessory Apartment 100-42 B reads as follows: The lot containing the accessory apartment contains the minimum acreage for the zoning district as set forth in the Dimensional Table (see attached). This application will run concurrent with the Planning Board special use permit request. REQUIRED **EXISTING** VARIANCE REQUEST Total Side Yard 50ft. 20ft. *30ft*. The applicant's representative, Lou Dubois, was present for the meeting. The Board reviewed a layout of the proposed accessory apartment. A Motion was made by Paul Gargiulo to set a public hearing for March 9, 2017, seconded by Paul Symes. All ayes. The Board discussed reviewing this application at the next meeting when they hope to have more members present.

Certification of Receipt

APPROVED:

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- 43 The Board advised Lou D. to review the criteria for requesting a Use and Area variance.
- Anthony G: You will want to see if Mr. Watkins has a current survey. 44
- Lou D: He does not. 45
- 46 Anthony G: Because we have conflicting maps.
- 47 Lou D: Old plans say things like approx. 30 ft. and we do not do things like that anymore. I got a copy of the
- deed and I followed the deed. The neighboring property way surveyed by Patti Brooks so I know where the 48
- line is and I used that as the influence line. I measured the house and that is how I came up with the numbers. 49
- What I will do is on the siteplan I will make reference of the property line being established from the 50 51 neighbor's survey.
- Anthony G: That is why we need stamps on here. When I saw your stamp I am not questioning you but we 52 have one thing that shows one thing and another that shows something else. 53
- 54 Lou: This is going to be my methodology. I will put a notation on my plan. Everything is on that side all I
- 55 have to do is measure the house it will be measured right to the inch. I just plotted from the deed and whatever 56 is left is left.
- 57 Paul G: I do not think that more than that is necessary.
- 58 Anthony G: In my mind when I look at the proposal you could theoretically eliminated one variance by
- changing the location of that structure. 59
- Lou: I cannot go back with it the septic is back there. We looked at that. They are willing to sacrifice one bay 60 of the garage for their mother. 61
- Paul G: That is just the reason for now. He is adding value to his home that he will not be tearing down when 62
- his mother leaves. We understand why he wants it. We will see what the neighbors say and take it one step at 63 64 a time.
- 65 Alan: Is there anything between the house and the property line right now?
- Lou: No. It is clear. 66
- 67 Alan: You have your share of rock out there.
- Paul G: It is going to be on a slab. 68
- 69 Lou D. will work on his variance criteria.
- 70 Anthony G: They really should have an active survey.
- The Board agreed that a survey would be a good thing. 71
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76 **Extended Public Hearings**

78 Highland Assisted Living At Village View, 1-9 Grove St, 88.69-1-10,/11,/12, in R1/4 zone.

This project consists of a 18,310 s.f. expansion to an existing assisted living facility. The expansion will allow 79 a total of 80 beds and not more than 13 employees per shift. There will be a total of 15 parking spaces as 9 80 parking spaces have been waived by the Planning Board at their workshop meeting held on November 17, 81 2016, this in turn eliminates the need for a front yard setback variance and reduces the building coverage 82 83 variance request.

- -Updated documentation submitted by the applicant dated Jan.3, 2017. -UCPB comments received - No County Impact. -Application tabled until Planning Board does SEQRA determination
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89	The applicant is requesting two area variances as follows:						
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91	PERMITTED EX	ISTING VA	RIANCE R	EQUEST To	otal Coverage		
92	(Lot#88.69-1-,	(Lot#88.69-1-10)					
93	Building Coverage	18%	23.5%	5.6%	23.6%		
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95	Lot Coverage	25%	48%	25.6%	50.6%		
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97	If taken into consideration the combined three lots the request is as follows:						
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99	P	ERMITTED	EXISTING	VARIANCE	REQUEST	Total Coverage	
100	(all 3 tax lots)				~	0	
101							
102	Building Coverage	18%	19.6%	5.6%	23.6%		
103							
104	Lot Coverage	25%	41%	5.6%	50.6%		
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106	- The ZBA anticipates SEQRA determination from the Planning Board.						
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108	The applicant requested this review be tables and the public hearing remain open, pending the issuance of the						
109	SEQRA Determination of Significance by the Planning Board.						
110	A Resolution on record. (See attached)						
111	A Motion to accept the Resolution to table the application until the Zoning Board received the SEQRA						
112	Determination was made by Paul Symes, seconded by Alan Hartman. All ayes.						
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115	Administrative Business						
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117	Minutes to Approve:						
118	A Motion to approve the January 12, 2017 ZBA meeting minutes was made by Paul Gargiulo, seconded by						
119	Alan Hartman. All ayes.						
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121	Paul G: Has anyone seen the Highland Library site? The new Library building is going to be right behind the						
122	proposed assisted living expansion request; these building will be back to back. This is something to think						
123	about when we think of the character of the neighborhood. I suggest the Board take a look at the Library site.						
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- 125 A **Motion** to adjourn was made by Paul Gargiulo, seconded by Paul Symes. All ayes. 7:40pm
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