

ZONING BOARD OF APPEALS
TOWN OF LLOYD
AGENDA

Thursday, August 9, 2018

New Submission Date: September 3, 2018

Next ZBA Meeting: September 13, 2018

CALL TO ORDER TIME: 7:00 PM

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.

New Public Hearings

MCBS DG Highland LLC, 3584-3594 Route 9W, SBL# 88.17-6-25.110 & 88.17-6-16.110, in GMU zone.

Dollar General / Multifamily

**Applicant is seeking an area variance for side yard parking in the GM Zone*

Development project of 21.7 acres of land along Route 9W. The applicant desires to take three lots (SBL: 88.17-6-15.11, 16.11 and 25.11) Lot 3 will contain a proposed Dollar General retail store with parking on the side.

Michael Moriello, applicant's attorney, will provide a supplemental submittal to explain more fully the area variance, the requirements and exactly what is proposed to do with the parking.

Addendum to area variance application and SEQRA EAF, Part 2 draft responses by applicant received from Michael Moriello, Esq. 08.01.18.

Jackson, Vicki, 11 Milton Avenue, SBL# 88.69-8-4, in CB Zone.

Applicant is seeking a residential use variance to convert an existing ground floor commercial space of approximately 2200 square feet into two equal sized apartments.

** Please refer to attached use table in code book.*

The ZBA requested a more accurate site plan at the next meeting.

Extended Public Hearing

Watson, David I, 10 Bellevue Rd, SBL# 88.17-2-36.120, in R 2 Zone.

Applicant is seeking an area variance relief of 13' 7" for the front yard to build a 240 sq ft accessory structure.

The ZBA requested the applicant to provide them with pictures of the property which show the steep grade, where the building would be situated, and a topography map of the property on 06.14.18.

Spiciarich complaint letter received 07.09.18.

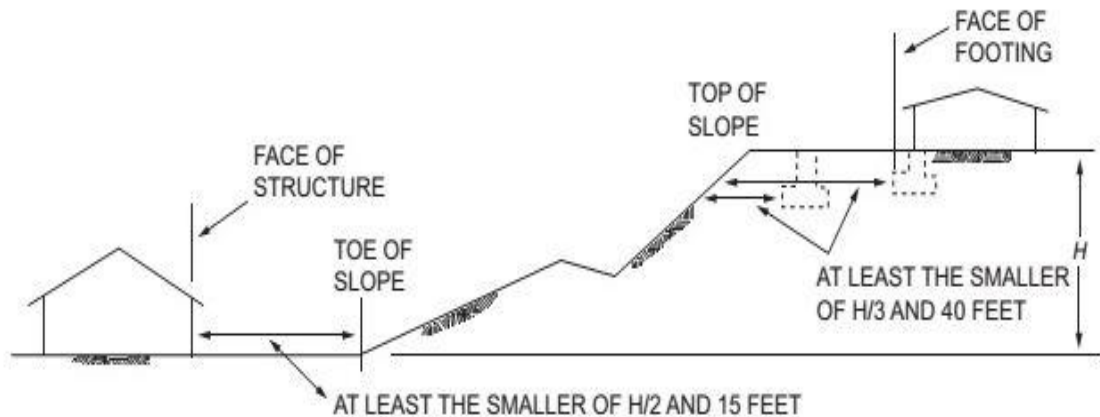
The Board made a second request for the applicant to supply them with a survey and topography map of the property on 07.12.18.

R403.1.7 Footings on or adjacent to slopes.

The placement of buildings and structures on or adjacent to slopes steeper than one unit vertical in three units horizontal (33.3-percent slope) shall conform to Sections R403.1.7.1 through R403.1.7.4.

R403.1.7.1 Building clearances from ascending slopes.

In general, buildings below slopes shall be set a sufficient distance from the slope to provide protection from slope drainage, erosion and shallow failures. Except as provided in Section R403.1.7.4 and Figure R403.1.7.1, the following criteria will be assumed to provide this protection. Where the existing slope is steeper than one unit vertical in one unit horizontal (100-percent slope), the toe of the slope shall be assumed to be at the intersection of a horizontal plane drawn from the top of the foundation and a plane drawn tangent to the slope at an angle of 45 degrees (0.79 rad) to the horizontal. Where a retaining wall is constructed at the toe of the slope, the height of the slope shall be measured from the top of the wall to the top of the slope.



For SI: 1 foot = 304.8 mm.

FIGURE R403.1.7.1
FOUNDATION CLEARANCE FROM SLOPES

R403.1.7.2 Footing setback from descending slope surfaces.

Footings on or adjacent to slope surfaces shall be founded in material with an embedment and setback from the slope surface sufficient to provide vertical and lateral support for the footing without detrimental settlement. Except as provided for in Section R403.1.7.4 and Figure R403.1.7.1, the following setback is deemed adequate to meet the criteria. Where the slope is steeper than one unit vertical in one unit horizontal (100-percent slope), the required setback shall be measured from an imaginary plane 45 degrees (0.79 rad) to the horizontal, projected upward from the toe of the slope.

New Business

Bark Place of Ulster, Inc, 296 Route 299, SBL# 87.2-1-14 in DB Zone.

Expansion of non-conforming use - Applicant is seeking commercial use variance to construct a 3000 sq ft, one story building for a dog training, boarding and daycare facility for an established business since June 2008. Applicant is also seeking site plan approval from the Planning Board.

Metrande, David, 831 N Chodikee Lake Road, SBL# 79.2-2-2.200 in R1 Zone.

Applicant is seeking a residential area variance relief of 8' on the left side yard setback to add a 10' x 20' carport attached to an already existing garage.

Minutes to Approve: July 12, 2018