

ZONING BOARD AGENDA
Thursday December 12, 2024

OPEN MEETING / PLEDGE TO THE FLAG

ROLL CALL:

	Rodgers Williams	Present
	Randy Rhoads	Present
	Earl Makatura	Present
	Lynn Overgaard	Present
	Steve Schmidt	Present
Alternates	Donald Wright	Present
	David Hostutler	Present

Others present included:

Daryl Jones, Town Board Liaison. Jim Bird, Town of Jerusalem Council member. Jesse Jane, Vine Country Builders

Meeting called to order at 7 pm.

Approval of November minutes approval. Motion made by **S.Schmidt**, seconded by **E.Makatura**.

COMMUNICATIONS – George Dieffenbach Letter of support #**AppZ24-0031**. East Bluff Dr. resident.

R. Rhoads – this is from the one to the south

AREA VARIANCE/PUBLIC HEARINGS:

Area Variance #Z24-0030

Christopher Healy

3079 Brown Hill Rd.

(Tax map: 103.81-1-1.11)

J. Jane – Existing structure/barn is a livable space, but not in great condition from a code stand point. Will be ‘sprucing’ up and renovating the inside, first sent to James then determined the property is split between two zones, R1 and Ag Res (AR). The R1 portion has a shorter center line from road variance than AR. Will be cutting off the back side of the deck and making a livable addition.

R. Rhoads – it was originally a deck?

J. Jane – yes, will be cutting that off so that the addition is inline with the existing structure.

E. Makatura – which is which on the drawing?

J. Jane – light orange/white is existing, dark orange is new

E. Makatura – not going to go past existing structure?

J. Jane – No

R. Rhoads – will the foundation be replaced?

J. Jane – No, hopefully not, will be fixing as need, and replacing only if necessary

L. Overgaard – its close to where that slope drops off

J. Jane – Yes, but it will be better now, and other side is in line with the existing. Will have silt fencing, not disturbing the bank so out of steep slope.

R. Rhoads – that tree on Brown Hill is close and certain that if digging for foundation, that will disturb the root system of tree, leading to failure and weakening the bank

J. Jane – if that were to become an issue, would call Yates County Soil & Water for hydroseeding

E. Makatura – dig out and put in foundation?

J. Jane – yes, for the dark orange portion

R. Rhoads – there were no stakes out there to see, so it was hard to see where the addition will be going

E. Makatura – didn't see stakes either, hard to visualize

J. Jane – spoke with James and thought he was all set

R. Rhoads – generally if the variance is not stake out, the board will table the application till the next meeting.

J. Jane – that's fine, that's a mistake on my part

S. Schmidt – 460 square feet is the addition, what is the current living space?

J. Jane – would be up in the air based on what is currently determined as livable, but around 800 square feet

D. Wright – that would double the living space

J. Jane – yes, roughly

L. Overgaard – why does the addition need to be above the slope, why not on another side?

J. Jane – it keeps the addition aligned with the existing structure, if added to the front would have to move rooms around inside, this is the most non-invasive way to proceed

R. Rhoads – trying to understand what the hardship is?

J. Jane – true, the hardship is that the property is split between 2 zones

R. Rhoads – the construction that you are seeking variance is only in R1

J. Jane – property is between 2 zones, hardship is that the house, as it exists. It's the best way to not have to knock down and rebuild

R. Rhoads – could knock down the whole structure and build in AR where a variance wouldn't be needed

R. Williams – there is lots of land in AR, could build there

J. Jane – being former CEO, the amount of dirt to be moved and noise to the neighbors in a close area, to rebuild would be greater. This is the most non-invasive way in keeping in line with the existing house.

L. Overgaard – hardly any official living space, so anything would be better than it already is. Cannot understand why they don't want to build away from the slope.

R. Williams – it needs to be staked out.

R. Williams motioned to table application Z24-0030 till January meeting, **R. Rhoads** seconds; carried.

R. Rhoads – would like to see alternate option that would avoid disturbing bank. If you were seeking a new barn to be built where the existing is, the answer would be no.

J. Jane – in my experience, if it was inline with the existing, it was seen as favorable.

R. Rhoads – true, you're not making the set back smaller but that Brown Hill is used often by people traveling to and from East Bluff Drive.

L. Overgaard – adding to other sides already, why not make this addition on another side

R. Rhoads – concerned about the steep slopes

S. Schmidt – would be able to visualize better if it were staked out.

J. Jane – will look for an alternative with the owner and stake it out. Should we table the other application as well since it is not staked out?

Area Variance #Z24-0031

John Lundy

11715 East Bluff Dr.

(Tax map: 117.62-1-10)

R. Rhoads – the tape on the other side of the structure made it confusing

E. Makatura – hard to determine which property it was

R. Rhoads – some were able to find the house, but it's not staked well

S. Schmidt – stake the area well and add a board by the road with the house number, also for a fire and safety stand point

J. Jane – I also had a hard time initially finding it

R. Rhoads motions to table application Z24-0031 till January, **E. Makatura** seconds; carried.

S. Schmidt – be sure to add house number

J. Jane – will ask owner to add

R. Rhoads – make sure to have alternative options for Brown Hill property, digging and the tree are of concern

J. Jane – will bring to homeowner and see if they can make changes that avoid need for variance

R. Willaims – Next meeting January 9, 2025. Jamie Sisson advised them there is a training on December 19 for whoever needs an hour or so

J. Bird – there is a hearing at the Town Board meeting next week, there are some points that came out of the Association of Towns training he and several others attended. One, in regards to

the Planning Board, a member should not be taking notes unless in a dire situation. Two, every year the Zoning and Planning Boards nominate their chair. The State says the Town Board should be doing this, so that is the hearing next week. Assuming this will pass. If anyone is interested in the chair, please pass a note to me, Darly or Sheila. After the first of the new year, will be discussing more of the Zoning changes, anticipating company from neighbors.

D. Hostutler – is the zoning changes hearing scheduled?

D. Jones – not yet

R. Rhoads motions to adjourn at 7:19pm, seconded by **E. Makatura**; carried.