

ZONING BOARD MINUTES
Thursday February 13, 2025

OPEN MEETING / PLEDGE TO THE FLAG. Meeting called to order at 7 pm.

ROLL CALL: Rodgers Williams, present. Randy Rhoads, absent. Earl Makatura, present. Lynn Overgaard, absent. Steve Schmidt, present.

Alternates: Donald Wright, present. David Hostutler, present.

Others present included:

Town board liaison- Daryl Jones, Bill Grove- engineer.

The January minutes have been approved as corrected.

	(Corrected vote on App#Z25-001)
The board was polled as follows:	The board was polled as follows:
L.Overgaard- Grant	L.Overgaard- Deny
S.Schmidt- Grant	S.Schmidt- Deny

Motion made by **S.Schmidt**, seconded by **E. Makatura**.

COMMUNICATIONS – One interdepartmental memorandum from Town Highway superintendent **Tony Hurd** relaying there is no concerns regarding application **App#Z25-003**.

AREA VARIANCE/PUBLIC HEARINGS:

Engineer Bill Grove is present to represent application **#Z25-003**. Applicant is requesting 52.9’ front setback from the centerline of the road, where 64.75’ is required for a variance of 11.84.’

Board member **E.Makatura** states that the project site was not staked out. **D.Wright** adds that he visited the site, and had a hard time getting up the drive due to ice.

E. Makatura added that the project could be excavated further back. **S.Schmidt** agreed and said as long as they are already excavating why not do another 12 feet.

B.Grove said the home will fit better with the variance, and apologizes for not staking out the site.

D.Hostutler said the house should be built to fit the lot, not the other way around.

B.Grove replies it is only 12 feet, he understands it does not meet the setback requirements, but it is a lot further off the road than a lot of other homes on West Bluff Drive. It’s not outside the character of the neighborhood, referring to the challenge questions he adds that you’ve got to have good reasoning to deny the variance, but he also has an obligation to try and present why they are asking for the variance.

R. Williams said they try to grant the minimum variance that will meet the hardship. The hardship doesn't seem to be that serious.

B. Grove responds nor is the variance request.

S. Schmidt- likewise he could say that staking it out makes a difference.

D. Wright asks if 1300 sq. ft basement is living area. The total living is 3050 sq ft. Why not cut the living area, and not go further back.

E. Makatura adds the house is not that big. **B. Grove** agrees.

B. Grove refers to architectural plans.

S. Schmidt states they should not discuss the application when it needs to be tabled due to the site not being staked out.

B. Grove responds that he will stake out the front lines, adding that the Town of Jerusalem is the only town that requires the staking of the site, he does not think it is required by law.

S. Schmidt responds that **B. Grove** has had other applications that also have not been staked out.

R. Williams motions to table application #Z25-003. **E. Makatura** seconds.

B. Grove asks board if there a chance the variance will be approved even after it is staked out.

R. Williams said he needs to present a pretty compelling argument. **B. Grove** answer that it is like fighting Steep slope regulations, and getting that approved verse meeting the setbacks in this case. Steep slopes are approved because they are minimizing behind the house. They could shift it the 12 feet back, the house fits within that. But the garage and the excavation to get the driveway back there forces it further back. He adds he has conflicting information; he has come in has been granted variance for 30-35 feet from the centerline and he has one that is 52 feet now.

S. Schmidt adds that some they have been granted a variance for, had no room to do anything else. This one here there is room to move back. If they think there is room to move it back, they will ask. He said 4 foot or 12 feet isn't really that much in his eyes.

D. Wright asks how many large trees would be removed from site.

B. Grove said more then what is proposed here, they could shift it back, and revise the grading plan to show that.

E. Makatura said if he revises the plan, he would not have to come back to board for a variance request. **S. Schmidt** adds it is up to **B. Grove**, the options are to table it or revise it. **B. Grove**

responds he would rather not come back, but will need to talk to client and see what they want to do.

R.Williams states the next Zoning Board meeting is Thursday March 13, 2025.

R.Williams motions to adjourn the meeting at 7:11 pm. **E.Makautra** seconds.