

**MINUTES OF THE MEETING OF THE ZONING BOARD OF APPEALS
TOWN OF RICHLAND
1 BRIDGE STREET, PULASKI, NY 13142**

DATE: Tuesday, September 15, 2020

PLACE: H Douglas Barclay Courthouse, Grand Jury Room

BOARD MEMBERS PRESENT: Charles Deaton, Jamie Foster, Marshall Minot

OTHERS IN ATTENDANCE: John Howland, Julie Peterson, Jamie Nabinger, Brian Leary, and Mike Gannon

CALL TO ORDER: The meeting was called to order by Mr. Minot at 6:49 p.m.

1ST ORDER OF BUSINESS: Application #20-53, submitted by Kenneth & Linda Leary, 266 Manwaring Rd., for an area variance to subdivide 1 property into 2. This is before the Zoning Board as it does not meet the criteria of 200' of road frontage and at least 60,000 square feet that is required by law. Both of the properties are over an acre, however, one only has 47,000 sq. ft., and the other is only 43,000 sq. ft. This property will not have any issues regarding residential/commercial zoning as it is grandfathered in as pre-existing non-conforming use.

SEQR was read by Mr. Howland. ***A motion was made by Mr. Deaton and seconded by Mr. Foster to deem this application a negative declaration. All members were in favor with a vote of "AYE." A motion was made by Mr. Foster and seconded by Mr. Deaton to schedule a Public Hearing. All members were in favor with a vote of "AYE."***

2ND ORDER OF BUSINESS: Application #20-51, submitted by James & Melissa Nabinger, 3180 County Route 2, for an area variance for a 20' side yard waiver for the construction of a 24 x 30 residential garage. Mr. Minot read aloud a letter received from the County regarding this application and after their review declared it a local issue. Mr. Minot questioned why the location of the new garage was not on the other side. Mr. Nabinger stated that the other side would cause complications due to the location of his septic tank and the land over there is a swamp. Mr. Minot requested a letter from the neighbor to make it part of the record.

SEQR was read by Mr. Howland. ***A motion was made by Mr. Foster and seconded by Mr. Deaton to deem this application a negative declaration. All members were in favor with a vote of "AYE." A motion was made by Mr. Foster and seconded by Mr. Deaton to schedule a Public Hearing. All members were in favor with a vote of "AYE."***

The Public Hearing will be held on Tuesday, October 20, 2020 at 6:30 p.m.

There was some discussion prior to the meeting being called to order with Michael Gannon regarding stairs being placed on the back side of the new garage that he just built. Mr. Gannon received his variance permissions prior to the construction of his structure. It is the feeling of the board that this is a self created hardship and they do not feel that an application for additional variance would be granted. Mr. Gannon discussed the possibility of installing stairs inside that can be pulled down, allowing enough room for his belongings inside the building.

NEXT ZBA MEETING: The next Zoning Board meeting will be held Tuesday, October 20, 2020 at 6:30 p.m.

MEETING ADJOURNED: *A motion was made by Mr. Deaton and seconded by Mr. Foster to adjourn the meeting at 7:30 p.m. All members were in favor with a vote of "AYE."*

Respectfully submitted by
Julie Peterson
Deputy Town Clerk