

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

DATE: Tuesday, December 19, 2023

PLACE: H Douglas Barclay Courthouse

ZONING BOARD MEMBERS PRESENT: Marshall Minot, Swiat Kaczmar, Timothy Crouch

OTHERS IN ATTENDANCE: John Howland, Herbert Clark

CALL TO ORDER: The meeting was called to order at 6:30 p.m.

VARIANCE APPLICATION:

Variance application 23-64 submitted by Donald Clark 803-805 County Route 5 for a 10' front yard waiver for the construction of a 12' x 20' prefab shed. Chairman Minot asked Mr. Clark to explain his brother's project. Don would like to put a shed in front of his house to store stuff in. His sister gave it to him prior to selling her residence. It is currently at Herb's house awaiting approval, and it can't remain there as it is too close to the road and it drops off and it doesn't meet the front or back setbacks. Mr. Clark stated that she sold her house and has a cottage that she is planning to put an addition on. Can she obtain a temporary permit for a place to store her stuff while renovating? Mr. Howland told him that she can.

A motion was made by Crouch and seconded by Kaczmar to open the public hearing at 6:32 p.m. All members were in favor with a vote of yes. There was no public comment. ***A motion was made by Kaczmar and seconded by Crouch to close the public hearing at 6:34 p.m. All members were in favor with a vote of yes.*** Chairman Minot does not have any problems, it would be consistent with the other properties and things being close to the road. He is concerned that it will set a precedent for the area and future development in the area. Mr. Howland states that the current variance is only for the shed, anything else he would have to apply for another variance. Swat asked if the property is a business or a residence? Mr. Howland, the property is a residence that has a commercial business on it. The shed can not be used as a retail store or for a business. There was discussion regarding residential property with commercial business on them and if there needed to be any delineation for the portion that is being used for commercial use. The 239 review from the County states that the department has reviewed the application and based on the information

submitted recommends no significant Countywide or intercommunity impact is involved for this project. ***A motion was made by Crouch and seconded by Kaczmar to approve application 23-64 for a 12 x 20 shed with a 10' variance with the condition it be used as applied for, residential use only. In a roll call vote members voted as follows: Crouch, yes; Kaczmar, yes; Minot, yes, the board has discussed if the benefits can be achieved by other means feasible to the applicant and it is determined that because of the terrain, it would be unlikely to be placed in any other areas, it does not cause an undesirable change to the area, the request is not substantial, it is within reason in the area, and it will not have any physical or environmental adverse effects. The marina has been there for over 75 years so it is not self created.***

A motion was made by Crouch and seconded by Kaczmar to accept the November minutes as submitted. All members were in favor with a vote of yes.

The meeting was adjourned at 7:20 p.m.

Respectfully submitted by,
Julie Peterson