

**TOWN OF SULLIVAN
ZONING BOARD OF APPEALS
AUGUST 8, 2019
7:30 P.M.**

A regular meeting of the Zoning Board of Appeals of the Town of Sullivan was convened at the Town Office Building by Chairman Steve Durfee at 7:30 P.M.

Those in attendance for the meeting were: Chairman Steve Durfee, Members Cliff Reals, Michael Keville, Terry Manning, and Attorney for the Board John Langey.

Absent: Secretary Jeri Rowlingson

Also present: Building/Codes Administrator Philip Costanzo

PUBLIC HEARING

**7:30 P.M. – JOANE LESKO: AREA VARIANCE (1826 CHESTNUT RIDGE RD., 25.-1-49)
BUILD A SHED CLOSER TO THE REAR PROPERTY LINE**

Mrs. Joane Lesko appeared before the Board to request an area variance to build a 10' x 20' shed closer to the rear property line. The existing 8' x 10' shed will be torn down and is currently only 2 feet from the property line. This is a small lot with no room. The adjoining property to the rear is all woods.

The Madison County Planning Board returned the application for Local Determination.

No one spoke for or against the application and the public hearing was closed.

**JOHN ZASADA: AREA VARIANCE (1363 LESTINA BEACH RD., 9.35-1-6) BUILD AN
ADDITION CLOSER TO THE WEST SIDE PROPERTY LINE**

Mr. John Zasada appeared before the Board to request an area variance to build a 5' x 14' addition closer to the West side property line. He is proposing to expand the existing enclosed porch 5 feet into the side yard and would continue with the building line of the house.

The Madison County Planning Board returned the application for Local Determination.

Robert Vault, who owns two properties across from this property, spoke of his concern that this will block the view of the lake.

No one else spoke for or against the application and the public hearing was closed.

**KARISSA ATWOOD: AREA VARIANCE (1531 CHESTNUT RIDGE RD., 24.-3-56) ERECT
6 FOOT FENCE FRONT AND SIDE YARD**

Mrs. Karissa Atwood appeared before the Board to request an area variance to erect a 6' fence in the front and side yard as she has a two year old child and the house is very close to the road. She would like the fence to go across the front yard, 10 feet down the side of garage and in front of an existing chain link fence. Member Manning asked if she has ever seen a 6' fence in front yards as they are not allowed (in particular 6'). He explained that it is not the image the Town is trying to project for the community. The Board would like to find a compromise to protect her child as well as the character of the neighborhood. Mrs. Atwood stated she doesn't mind compromise and asked for suggestions. Chairman Durfee suggested that the fence go off the back corners so there would be no variance needed. Member Keville suggested that if applicant decides on a 6' fence, it should be parallel to the road on right southwest front corner and then connect on the east side of house to the front corner of the garage. He explained this would avoid obstructing the whole front of the house and avoid it from a barricaded compound feel. It was suggested that a 4' fence across the front or anywhere on the property would not require a variance. Any fence would have to be a minimum one foot from property lines and out of the right of way of the road. This would allow protection from the road for the child and maintain the image of the neighborhood.

The Madison County Planning Board returned the application for Local Determination.

The recommendation of the Town of Sullivan Planning Board was reviewed. The Planning Board indicated that granting this request would have significant adverse town-wide effect and, therefore, they would not endorse the granting of this application.

No one spoke for or against the application and the public hearing was closed.

A motion was duly made by Member Keville, seconded by Member Reals and unanimously passed by the Board to table this decision until the September meeting while Mrs. Atwood decides how she will proceed. She may decide to go with a 4' fence, in which case she will not need a variance. If she decides on 6' fence, she will need to come back to the Zoning Board to discuss her plan. She will let the office know.

NEW BUSINESS

No new business.

OLD BUSINESS

**JOANE LESKO: AREA VARIANCE (1826 CHESTNUT RIDGE RD., 25.-1-49) BUILD A
SHED CLOSER TO THE REAR PROPERTY LINE**

The Board jointly reviewed and considered the legal criteria and a proposed resolution for the granting of the requested area variance addressing each of the factors for approval or denial of the application. It was determined that the benefits to the applicant outweighed any harm to the neighborhood as there are no rear neighbors, this is an undersized lot and the variance

allows maximum use of the rear yard. The Board reasoned that the rear of the property abuts a land locked forested lot and there are no roads to the rear lot.

This application was declared by the Board to be a Type II Action for SEQR.

A motion was duly made by Member Keville, seconded by Member Reals and unanimously passed by the Board granting 45 feet of relief from the rear property line setback requirement to build a 10' x 20' shed per the proposed application.

JOHN ZASADA: AREA VARIANCE (1363 LESTINA BEACH RD., 9.35-1-6) BUILD AN ADDITION CLOSER TO THE WEST PROPERTY LINE

The Board jointly reviewed and considered the legal criteria and a proposed resolution for the granting of the requested area variance addressing each of the factors for approval or denial of the application. It was determined that the benefits to the applicant outweighed any harm to the neighborhood. The Board reasoned that this variance is just extending the line of the existing building (existing building line).

This application was declared by the Board to be a Type II Action for SEQR.

A motion was duly made by Member Manning, seconded by Member Reals and unanimously passed by the Board granting 3.69 feet of relief from the west side property line to build an addition to the existing structure, extending 5 feet beyond the current structure.

APPROVAL OF MINUTES

A motion was duly made by Member Keville, seconded by Member Reals and unanimously passed by the Board approving the minutes of June 13, 2019

ADJOURNMENT

A motion was duly made by Chairman Durfee, seconded by Member Manning and unanimously passed by the Board to adjourn the meeting at 8:30 P.M.

Respectfully Submitted
Jeri Rowlingson, Secretary