

**TOWN OF SULLIVAN  
ZONING BOARD OF APPEALS  
NOVEMBER 12, 2020  
7:00 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 7:00 P.M.

Those in attendance for the meeting were: Members Terry Manning, Bryan Bendixen, and Michael Keville

Excused: Member Cliff Reals

Also present: Building/Codes Inspector Larry Ball

**PUBLIC HEARING**

**7:00 P.M. – SAM REYNOLDS: AREA VARIANCE (1242 ROUTE 31, TAX MAP NO. 9.11-1-32) SIX FOOT FENCE AROUND THE PERIMETER OF THE BACK YARD ON A CORNER LOT.**

Sam Reynolds appeared before the Board to request an area variance to allow a six foot fence around the whole perimeter of the back yard on this corner lot. Member Manning stated he has two front yards and this is a deadend road. Member Keville stated the map he has supplied shows he is crossing over the neighbor property at the West corner. The posts are already installed. Mr. Reynolds knows he has to maintain around the fence and that the good side must face the neighbor.

The neighbor, Jim Gratko of 1230 Route 31, the property owner on the side that is in question, appeared. He is concerned with the proper setbacks.

Member Manning suggest that stakes should be looked into by the surveyor or measured so that the distance is correct especially in the West corner.

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

Member Keville read the letter from The Town of Sullivan Planning Board. They would recommend that the ZBA seek some mitigations to reduce the size and location of this proposal in order to lesson any negative impact.

No one else spoke for or against the application and the public hearing was closed at 7:20 P.M.

## **NEW BUSINESS**

David Chambers from 645 Billington Circle appeared to discuss a lot line adjustment for his property across the street that he just purchased at 649 Shackelton Point. He has spoken to Frank Park, Chairman of the Planning Board as well as Larry Ball, Building Inspector and it was suggested he appear before the Zoning Board with this proposal. It is a line adjustment and not a sub-division.

He is proposing a lot line adjustment that may create minimum lot size less than the required 12,000 sq.ft. The purpose is better parking of vehicles on the narrow lot at Billington Circle. Discussion was held about the non-conforming lot sizes if this were approved and expanding non-conforming properties.

Chairman Durfee discussed the public hearing of creating a non-conforming lot and a variance for lot coverage. Larry Ball stated the variance would be for two existing legal non-conforming lots with lot line adjustment. Mr. Chambers will get the paperwork to us as this will have to go to Madison County Planning Board also. A public hearing will be scheduled for January 14, 2021 at 7:00PM.

## **OLD BUSINESS**

### **SAM REYNOLDS: AREA VARIANCE (1242 ROUTE 31, TAX MAP NO. 9.11-1-32) SIX FOOT FENCE AROUND THE PERIMETER OF THE BACK YARD ON A CORNER LOT.**

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. As proposed, it is unclear if the fence is crossing the property line at the West corner of the neighbor's property. The Zoning Board discussed and outlined proposed modifications that could be achieved. The proposal of the fence does not block views for traffic or disrupt the neighborhood as there are other fences in the neighborhood.

This application was declared by the Board to be a Type II Action for SEQR, thus concluding the environmental review process for this matter.

A motion was duly made by Member Manning, seconded by Member Bendixen and unanimously passed by the Board that the benefit to the applicant does outweigh any detriment to the Neighborhood and therefore the variance was approved with the following conditions:

1. Absolute property line must be determined to maintain fence distance of 2 feet from the lines.
2. Good side of fence to face the neighbor.

## **APPROVAL OF MINUTES**

A motion was duly made by Member Keville, seconded by Member Bendixen and unanimously passed by the Board approving the minutes of October 8, 2020.

## **ADJOURNMENT**

A motion was duly made by Member Manning, seconded by Member Keville and unanimously passed to adjourn the meeting at 7:55 PM.

**Respectfully Submitted**  
**Jeri Rowlingson, Secretary**