

**TOWN OF SULLIVAN  
ZONING BOARD OF APPEALS  
JUNE 8, 2017  
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: Chairman Steve Durfee, Members Cliff Reals, Michael Keville, Terry Manning, Cecilia Berean, Attorney for the Board Richard Andino and Secretary for the Board Jeri Rowlingson.

Also present: Philip Costanzo, Building/Codes Administrator

**PUBLIC HEARING**

**7:00 P.M. – SEAN LEDDY: AREA VARIANCE (138 ROOSEVELT AVE.,10.36-1-12.2)  
REAR AND SIDE PROPERTY LINE SETBACKS & LOT SIZE**

Mr. Sean Leddy appeared before the Board to request an area variance to construct a new home 7 feet off the North side property line and 25 feet from the rear property line. A lot size variance of 2,000 square feet as the lot is only 10,000 square feet and 12,000 square feet is the minimum lot size required by the Zoning Law of the Town of Sullivan. Mr. Leddy stated that he tore down a house which was previously located on the lot. The Board discussed with the Applicant and Phil Costanzo fire separation between the garage and future home. The Applicant indicated that the new home will be a modular home with 5/12 roof pitch. The Applicant stated that a house plan was proposed and approved for the lot in 2005 by the prior owner but it was never built.

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

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

**AMY & HARRIS O'BRIEN: AREA VARIANCE (2674 ROUTE 31,11.-2-22) ROAD  
PROPERTY LINE SETBACK**

Mrs. Amy O'Brien appeared before the Board to request an area variance to build a 10' x 18' deck 4 feet closer to the front property line than is required by the Zoning Law of the Town of Sullivan. Mrs. O'Brien stated that presently there are old concrete stairs and a ramp and they would be torn down and replaced by the proposed deck.

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 RUSSO: AREA VARIANCE (563 PECK RD.,15.-1-6) REAR AND SIDE PROPERTY LINE SETBACKS**

Mr. John Russo appeared before the Board to request an area variance to build a 12' x 24' shed 15 feet from the rear property line (where a 50 foot setback is required) and 12 feet from the North side property line (where a 15 foot setback is required) which will be closer to the property lines than is permitted by the Zoning Law of the Town of Sullivan. The Applicant indicated that the property backs up against a 100 acre sod farm field so there will be little no impact on neighbors from the placement of the shed in the proposed location.

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

No one spoke for or against the application and all public hearings were closed at 7:20 p.m.

**NEW BUSINESS**

No new business.

**OLD BUSINESS**

**SEAN LEDDY: AREA VARIANCE (138 ROOSEVELT AVE.,10.36-1-12.2) REAR AND SIDE PROPERTY LINE SETBACKS & LOT SIZE COVERAGE**

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 legal criteria 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 the variance is substantial but not a determining factor as there are many small lots in the area and a new home will improve the lot and the neighborhood. Also, no environmental issue were identified and the variance would not create a situation that was out of character with the neighborhood.

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 Keville and unanimously passed by the Board granting 15 feet of relief from the rear property line setback requirement, 1 foot of relief from the North side property line setback requirement and 2,000 square feet of relief from the minimum lot size to allow the construction of a new modular home 7 feet off the North side property line and 25 feet from the rear property on 10,000 square foot lot.

**AMY & HARRIS O'BRIEN: AREA VARIANCE (2674 ROUTE 31,11.-2-22) ROAD  
PROPERTY LINE SETBACK**

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 legal criteria for approval or denial of the application. It was determined that the benefits to the applicant outweighed any harm to the neighborhood. The deck will not obstruct views and other properties have structures and other items closer to the road. The Board reasoned that the variance is not substantial as it is only 4 feet of relief and no environmental issues were identified.

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

A motion was duly made by Member Berean, seconded by Member Manning and unanimously passed by the Board granting 4 feet of relief from the front property line setback requirement to build a 10' x 18' deck.

**JOHN RUSSO: AREA VARIANCE (563 PECK RD.,15.-1-6) REAR AND SIDE PROPERTY  
LINE SETBACKS**

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 legal criteria 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 the impact on the neighborhood is minimal due to rear location, shielded from the road and 100 acre agricultural sod farm is the rear neighbor.

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

A motion was duly made by Member Reals, seconded by Member Berean and unanimously passed by the Board granting 35 feet of relief from the rear property line setback requirement and 3 feet of relief from the North side property line setback requirement to build a 12' x 24' shed set up on skids.

**APPROVAL OF MINUTES**

A motion was duly made by Member Reals, seconded by Member Keville and unanimously passed by the Board approving the minutes of May 11, 2017.

**ADJOURNMENT**

A motion was duly made by Member Berean, seconded by Member Reals and unanimously passed by the Board to adjourn the meeting at 8:00 P.M.

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