

**MINUTES
VARIANCE BOARD MEETING
SEPTEMBER 14, 2016**

The meeting was called to order at 8:05 a.m.

Present: Members: Short, Johnson; Planning Commission Chair: Denn; Planner: Riedesel; Applicant: John Stasieluk.

APPROVE AGENDA: The Agenda was approved as submitted.

APPROVE MINUTES: The Minutes of June 16, 2016, were approved as submitted.

JOHN & LINDA STASIELUK, 5326 EAST BALD EAGLE BOULEVARD – Request for a 40 Square Foot Exception to Ordinance No. 8 to Allow An Oversized Accessory Structure: Riedesel summarized the request to construct a 1,040 square foot accessory structure meeting setback and green area requirements. The garage is 40 square feet larger than the size permitted without approval of an exception to Section 5-29 of Ordinance No. 8.

Section 5-29 of Ordinance No. 8 allows an accessory structure to exceed 1,000' in area if: 1) it is located on property larger than 22,000 square feet, and 2) abuts a Conservation Wetland Overlay District. The Stasieluk property is 40,946 square feet in area and abuts Bald Eagle Lake.

Short noted that the Stasieluk request is consistent with others approved by the Town in the past since it meets the requirements for approval as stated in Ordinance No. 8. Johnson and Denn agreed.

Denn moved to recommend to the Planning Commission to recommend to the Town Board to approve an exception to Ordinance No. 8, Section 5-29 as permitted by the Ordinance. Short seconded. Ayes all.

JOY ALSIDES, 2641 SOUTH SHORE BOULEVARD – Request for a 1.17' Side Yard Setback Variance and an 8.2% Green Area Variance to Construct an Attached Garage, Deck & Driveway: Riedesel summarized the request for the additions as requested. The proposed additions will follow the existing building line but will be 1.17 feet too close to the lot line, which is why the variance is requested. The Variance Board consensus was that following the existing building line seems reasonable and they can

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support the setback variance as requested. It was noted that the new driveway should be designed so as to meet the side setback requirements.

The Variance Board discussed in detail the green area variance. The Board discussed several ways in which the proposed pervious area could be reduced. Several suggestions were discussed including: reducing the width of the driveway, use pervious pavers, relocate the existing garage door so it becomes "side loaded", reduce the area of the existing driveway.

The applicant, Ms. Alsidis, was not in attendance to discuss options so the Variance Board recommended staff contact her to discuss possible modifications to the plan.

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve the side setback variance for the garage and deck as requested since the variance as requested meets the standards set forth by the Zoning Ordinance to approve and is consistent with many other variances approved for other properties in the neighborhood. Johnson seconded. Ayes all.

Short moved denial of the green area variance as requested with a request that staff work with the applicant to modify the plans so as to reduce the pervious surface. Johnson seconded. Ayes all.

Short noted that the green area variance must be consistent with others approved in the neighborhood.

The meeting adjourned at 8:50 a.m.

Respectfully Submitted,

Tom Riedesel, Planner

**Ms. Alsidis arrived shortly after the meeting adjourned so staff discussed the recommendations with the applicant. She was supportive of the Variance Board's recommendation to increase green area and will work with her designer to modify the plans. It was noted that the Variance Board will schedule another meeting to discuss the request prior to the September Planning Commission meeting.