

TOWN OF EAST BLOOMFIELD

Zoning Board of Appeals Minutes

November 18, 2015

Zoning Board of Appeals Members Present, Art Babcock, Mark Thorn, Mike Long, Sonja Torpey, Tim Crocker.

Others Present: Kim Rayburn (Secretary)

I. 7:30pm Zoning Board of Appeals Training session with review of applications and regulations for Use and Area Variances

A discussion was held on the application requirements and the application forms for an Area and Use Variance. The Board feels that the application and forms may not be written clearly as to what the Board is required to review and what the Board would like to see for supporting documents when reviewing an application. Thorn stated the intent is to streamline the process and remove any information that is duplicated or not applicable and add information that is helpful to the applicant making the form more user friendly. The Board spent some time on their own reviewing applications from other Municipalities and they have some suggestions to update our current application, this will give the applicant a better understanding of what may be expected of them for mapping and supporting documentation.

Babcock stated that the Board needs to come to an informed decision based on the information that is provided to them, sometimes the information is unclear and the Board should request more documentation that what was provided to them. He stated that he was told at the training class he attended in Batavia that a survey is not required, but the Board is empowered to request additional information it deems necessary to review the application. The Board feels that a survey may be required in some cases but not in others, they wish to review each application on its own merits. A lengthy discussion was held on different scenarios where a survey should be required, and also when it may not be. The Board feels that more detailed maps and supporting documentation needs to be provided when a survey is not provided. Example: A Variance on 5&20 may need to show the exact setbacks for a State road and should require a survey, whereas a Variance to a side setback in the AR-2 district of a few feet would not require a survey, a site plan showing the distance's, location of septic, the well, property boundary markers, topography ect should be supplied. Babcock stated that many times the applicant is unaware of where their property line is or what the distance of the right of way is on the Road they live on. Crocker stated what would happen if the Board granted a Variance for ten (10) feet but the structure was actually twenty (20) feet closer to the lot line, the Board would be held responsible for granting the Variance with inaccurate data. Long, Thorn and Torpey agree the application should be looked at on a case by case basis as not to put a burden on those applicants that clearly do not need a survey for their proposal, if the Board deems the application to have more than enough supporting documentation for the Board to make an informed decision.

The Board then discussed the need for a conceptual review, as suggested in the Code to give the applicant the opportunity to discuss the proposal and have the Board advise them what will be required for mapping and supporting documentation. Rayburn will offer this to applicants when they come to obtain an application.

After further discussion and review of the forms the Board made some suggestions for revamping the application. Rayburn and Babcock will work on creating the new form and have the Board review it.

II. Minutes of July 6, 2015

Thorn made a motion and Long seconded the motion to approve the minutes of July 6, 2015 as written. All Board members present voted Aye, with the exception of Crocker as he was not a Board member at the 7/6/2015 meeting. Vote was carried.

III. Meeting Adjourned

Thorn made a motion and Long seconded the motion to close the meeting @ 8:40 pm. All Board members present voted aye, Vote was carried unanimously.

Respectfully submitted,

Kim Rayburn
Planning & Zoning Board Secretary