

# TOWN OF EAST BLOOMFIELD

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May 22, 2024

**Zoning Board of Appeals Members Present**, Sonja Torpey, Mark Thorn, Tim Crocker, John Cavagnaro

**Absent:** Art Babcock, Geoffrey Breeze

**Others Present:** Kimberly Rayburn (Building and Zoning), Christel Daggett (Secretary), Carol Stratton (Applicant), Chad Halstead (Applicant)

**Torpey opened the Public Hearing at 7:00 PM**

**I. P/H TNC1-24 Expansion of nonconforming structure Owner Carol Stratton** property located at 7251 State Route 5&20 Tax Map # 80.00-1-26.000 for a 14 x 6 Sunroom, addition of 2nd floor over existing 10 x 20 patio and proposed 25 ft +/- raised deck on eastern side of house to access from sunroom.

Stratton stated that she would like to cover her back deck. Above it will be a small room with an egress window. When you walk out, there is a window there now, but it will be taken out and a door will be put there. Then you walk out a little more, you will see a wall ahead of you, but underneath will be cabinets for storage. The left wall will have a door and 3 steps going up to a viewing area where she will be able to look out east & west. Currently her roof has a slant so in order to see if anyone is in her driveway she has to go downstairs and look out the window. The rest of it is knee wall following the shape of the existing roof that will be a small storage area.

From underneath the covered deck there will be a door leading to a sunroom where she can take her plants. Stratton stated that she would like to put a door facing the north where there will be a small deck that she will be able to get up on a regular ladder to clean her gutters otherwise, it is a 3-story building which is a little dangerous, you need a very tall ladder to get up there. She has to pay extra money to have the gutter cleaned because of the need for a taller ladder.

To the east of Stratton is the Highway Department. Torpey asked Stratton if the knee wall was on the Sunroom? Stratton stated no, it is in the storage area. She has a sharp peak so, when she goes out to that room there's a door that goes up to the viewing area to the left of that after 2-3 ft. there is not a lot of room for storage, but she will use it. The roof slants down so, it is not a full ceiling Rayburn supplied Torpey with the Plans for the Sunroom. Rayburn stated it was like a two-story addition on to the rear. The Sunroom in the bottom. Rayburn asked Stratton to show Torpey where everything proposed was for clarification.

Torpey asked about the siding. Stratton stated it will all be vinyl siding, if she can't get the same beige color to match then she would go with white since it is in the back.

There was a brief discussion about the foundation. The foundation will be footers. There is quite a slope. She has a concrete patio off that with stone. She is going to dig up the stone and put footers there which will need to dig deep to get to virgin soil which is clay.

It is a non-conforming use because the house sits close to 5 & 20. It does not meet the current setbacks.

Thorn asked what was across the property line to the east? Stratton stated that was the Highway Department, so the hill slopes down to a culvert. Crocker stated it is a gully.

Torpey stated she noticed there were trees on the eastern corner and another tree in front of the garage. So, driving from either direction on 5 & 20 the house is hidden.

There were no further questions.

**Torpey declared SEQR a Type II with no further action required.**

**Torpey motioned to close the Public Hearing Crocker seconded.  
All in favor Aye**

Torpey stated that for non-conforming use or structure they look at the location and size of the addition, the intensity of the use of the property, access from the street, any screening that may be necessary, and off-street parking/adequate size for request.

She also stated the Location and size does not exceed standards for the ordinary development of the neighborhood on any of those points. The additions that have been displayed, the drawings, and on the survey, it is well hidden from every aspect around the property. It does increase the non-conforming portion of the side setback on the east side. The garage on the other side is closer to the side boundary than the addition would be on the east.

**Torpey motioned Thorn seconded to Approve the expansion to a non-conforming structure.**

**Whereas:**

1. The addition is not over sized relative to the structure is already on property.
2. The property to the east side is not a residential parcel.
3. The side setbacks are like the setbacks already existing for the garage on the westside and is not out of character with the neighborhood as a whole.

**Record of Vote:**

**Torpey Aye Thorn Aye Crocker Aye**

**All Board members present voted Aye, Vote was carried unanimously**

**II. P/H TNC2-24 Expansion of nonconforming structure Owner Chad Halstead** property located at 3121 State Route 64 S. Tax Map # 95.00-1-24.110 for a 20 x 20 addition on existing south side of home starting at +/- 17 ft from the front of the house continuing 20' back

Halstead stated that his family is growing so, he would like to add a 20 x 20-bedroom addition on the south side of home. There are no utilities on that side, just a driveway and there is a lot of room. Torpey asked about the foundation. Halstead stated that there will be a foundation and a 3 ft crawl space. It will come into the driveway a little bit, but he has a circle driveway and owns the property to the south as well. There is a 1972 mobile home that can't be moved on that property right now, but Halstead stated that he is going to let the Fire department train with it and burn it down.

Crocker asked if it was non-conforming because it is not 75 ft. from Rt 64? Halstead stated yes, the house is already at 30 ft. The addition will start farther back from the front line.

There were no further questions.

**Torpey declared SEQR a Type II with no further action required.**

**Torpey motioned to close the Public Hearing Crocker seconded.  
All in favor Aye**

Torpey stated that looking at the standards for non-conforming use, size and intensity it does not appear that the size is beyond the dimensions of the current house. In terms of any setbacks, it is in violation of the front setback but, the house is a much larger structure that already has that attribute. She does not see any other impacts in terms of storm water redirect. The driveway will be affected but it will be expanded to the south and adding more gravel. There are no utilities that are required. Given the fact that it is even further back from the house it doesn't interfere with other setback issues.

**Thorn motioned Torpey seconded to Approve the expansion to a non-conforming structure.**

**Whereas:**

1. Does not see any incompatibility with the addition and the neighborhood, it seems to fit.
2. It does not have any issues with other setbacks.
3. It does not require any screening as it is already screened from the road.

**Record of Vote:**

**Torpey Aye Thorn Aye Crocker Aye  
All Board members present voted Aye, Vote was carried unanimously.**

**III. Meeting Minutes**

**Minutes of January 24, 2024**

**Torpey motioned and Crocker seconded to approve the minutes from 01/24/2024.  
All Board members present at the 01/24/2024 ZBA meeting voted Aye. Cavagnaro Abstained**

**Minutes of March 27, 2024**

**Thorn motioned and Crocker seconded to approve the minutes from 3/27/2024.  
All Board members present at the 3.27.2024 ZBA meeting voted Aye. Cavagnaro Abstained**

**III. Discussion:**

There was a brief discussion about looking into what would require a review and what the Board could include in their determination of non-conforming structures. The Board agreed it may be something to investigate in the near future for discussion.

The Board discussed the meeting times and agreed to change the ZBA meetings from 7:00 PM to 6:30 PM going forward.

**IV. Meeting Adjourned**

**Torpey motioned and Thorn seconded to adjourn at 7:45 pm. All Board Members present vote Aye.  
Votes were carried.**

Respectfully submitted,

Christel Daggett

Planning & Zoning Board Secretary