

TOWN OF EAST BLOOMFIELD

August 23, 2023

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

Absent: Rosemary Garlapow

Others Present: Kimberly Rayburn (Building and Zoning), Christel Daggett (Secretary), Matthew Crane (Applicant)

Torpey opened the meeting at 7:20 pm.

Torpey asked about the neighbor notification letters. Crane supplied the signed letters from his neighbors, and they were found to be in order. The Board opened the public hearing and waived the reading of the public notice.

I. Area Variance, TV4-23 Owner Matthew Crane, 3556 Stetson Rd. Tax Map # 93.00-3-20.000 Requesting a 17.4 ft. Area Variance to be 7.6 ft. from the side lot line where 25 ft. is required.

Crane is requesting a variance from the side lot line and the front lot line due to his lot having a creek running behind his house which limits the useable space where he can safely put a shed.

Torpey stated the lot is narrow after looking at pictures that Crane had submitted for the Boards review. The variance that Crane is asking for is 5.5 ft. from the front and 69.5 ft where 75 ft. is required, and the side is 7.6 ft to the lot line where 25 ft. is required due to the narrowing of the lot, he does not want to put the shed in the middle of his yard and also, the leach field is there.

Looking at the pictures of the creek in the back yard, Torpey stated there is a lot of flooding. Crane stated Yes, he was surprised to see how much they got over the winter.

Torpey asked Crane what was he going to use the shed for? Crane stated for they have no attic or basement so half would be used for household items and the rest will be lawn equipment. It will have white siding and a black roof to match the aesthetics of the existing house. It will have gravel instead of a concrete pad in case of any flooding, it will be easier for drainage. The location of the shed is flat so it will not require any grading. For the door it will have one set of double doors on the front which faces north.

Thorn asked Crane if he plans on storing any vehicles in the shed Crane stated no, Thorn asked if he anticipated including a garage further down the road seeing how he wants a shed for space Crane stated no he would love to have a garage but, he doesn't seem to think he will live there that long he needs the shed now because the house is too small.

Torpey asked for any further comments from the Board, there were none.

Torpey motioned Crocker seconded to close the public hearing, all Board members in attendance voted aye.

The Board then started their review of the State mandated five (5) criteria tests.

1. **Undesirable change to the neighborhood:** Board does not feel it is undesirable. There are woods on both sides of property, It is well hidden, No neighbor concerns, No additional screening necessary it's been done already.
2. **Alternative method:** Dimension and hydrological properties of the property severely limit the available space. No reasonable alternatives

3. **Substantiality:** Yes, 17.4 ft is significant. No Quams for the 5.5 ft. front
4. **Impact on the environment:** Minimal to none. No earth moving is required
5. **Self-creation:** The Board feels this is self-created hardship

A brief discussion was held on how to control outdoor storage, outdoor vehicle storage or accumulation of stuff to the front. The Board could put a condition to keep any outdoor storage out of sight and screened from public view. If you want to do some kind of landscaping or plant bushes that's not a problem.

Torpey asked for any further comments from the Board, there were none.

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

Thorn motioned and Babcock seconded to grant the two variances 17.4 ft. for side and 5.5 ft. from the front Area Variance, TV4-23 Owner Matthew Crane, 3556 Stetson Rd. Tax Map # 93.00-3-20.000 Requesting a 17.4 ft. Area Variance to be 7.6 ft. from the side lot line where 25 ft. is required.

Whereas:

1. Not an undesirable change to the neighborhood.
2. The alternative is more costly
3. Request for side yard setback is substantial the front does not qualify
4. Does not impact on the environment
5. Is self-created
6. There should not be storage of anything on the Stetson Rd side of the proposed shed without some kind of screening from the road.
7. The Location makes sense due to the reasons given in the minutes.

Record of Vote:

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

II. Meeting Minutes

Minutes of May 24, 2022

**Torpey motioned and Crocker seconded to approve the minutes from 05/24/2023.
All Board members present at the 05/24/2023 ZBA meeting voted Aye. Vote was carried unanimously.**

Minutes of July 19, 2023

**Babcock motioned and Thorn seconded to approve the minutes from 7/19/2023.
All Board members present at the 7.19.2023 ZBA meeting voted Aye. Vote was carried unanimously.**

Minutes

III. Discussion: No further business

IV. Meeting Adjourned

Thorn motioned and Babcock seconded to adjourn at 8:00 pm. All Board Members present vote Aye. Vote was carried.

Respectfully submitted,

Christel Daggett

Planning & Zoning Board Secretary

Zoning Board Minutes 8/23/2023