

**AGENDA MEETING OF THE ZONING BOARD OF APPEALS
OF THE TOWN OF GLENVILLE
THE GLENVILLE MUNICIPAL CENTER
18 GLENRIDGE ROAD, GLENVILLE, NY 12302
Monday December 21, 2020**

PRESENT VIRTUALLY: Chairman Hennel, Beth Kissinger, Dick Schlansker, Juliano Febo, Brian Peterson

ALSO ATTENDING VIRTUALLY: Code Enforcement: Arnold Briscoe, Melissa Cherubino; Attorney: Courtney Heinel; Stenographer: Jen Vullo; Kevin Cozzolino, John Rinebolt

Chairman Hennel called the meeting to order 6:00 pm.

It was noted that due to COVID no members of the public will be allowed in Town Hall for meetings at least through year-end. Board members may use their discretion to attend in person or virtually.

B. Peterson noted that Trustco Bank was not on the agenda. He questioned whether ZBA can/should vote on this application. Chairman Hennel noted that the current agenda does not include the Trustco Application. M. Cherubino stated that since they did not submit a site plan, they were removed from the agenda. C. Heinel explained that a public hearing notification, followed by a public hearing, must be sent out before ZBA can vote. Chairman Hennel asked the building department to include it on the Jan. agenda so a vote can take place. A. Briscoe explained that the building department does not send the agenda to the newspaper until after the agenda meeting, in case of changes. They can add it to this month's agenda and publish it tomorrow. It was noted that J. Pangburn had asked Trustco to submit a site plan for the new sign and they chose not to. C. Heinel stated that as long as a public hearing notice is published, a vote can take place to close out the application, based on the current information. Chairman Hennel asked that it be included on this month's agenda. The Board will vote based on the original request, modified for the digital clock and temperature. He asked A. Briscoe to reach out to Trustco and AJ Signs to let them know.

Application of Kevin Cozzolino, 3 Ralmar Drive, Glenville, NY 12302 for the proposed placement of an 8 ft x 10 ft shed, this property is a corner lot, this property is located within the Suburban Residential Zoning District. It is identified on the tax map as parcel# 16.13-4-15 In accordance with the Codes of Glenville, the following variances are being requested:

270-9 (c) Location – No permitted accessory structure shall be located in any front yard.

This application was tabled from the November meeting to allow the applicant to get more accurate measurements and to discuss an alternate location with his family. Chairman Hennel noted an updated diagram was submitted, but some of the measurements still don't add up correctly. K. Cozzolino stated that the measurements are not to scale as some are angled.

D. Schlansker asked if the applicant was revising the application to locate the shed in the back, left corner? K. Cozzolino stated that he thought the Board was suggesting the corner closest to the garage. After measuring things out, they can't afford to lose spots where the cars are currently parked. Chairman Hennel asked if the applicant needed 6 parking spots? K. Cozzolino stated they need at least 3, 2 in the garage and 1 outside. He emphasized that they can't "trade a storage problem for a parking problem".

B. Peterson commented that he thought the shed was going in the fenced-in area, with the front of the shed at the fence, and the back of the shed continuing into the woods. K. Cozzolino explained that the other side of the fence is not an option as the land would have to be leveled quite a bit. The land quickly slopes there. B. Peterson asked if the shed could come half way into the fenced area, into part of the parking area? K. Cozzolino replied he didn't think so.

Chairman Hennel commented that there is also the possibility of turning the shed 90 degrees. He explained that it is up to the applicant where they want it located. The Board will vote one time. It can be left where proposed or moved to a new location. Again, the Board will vote once.

K. Cozzolino stated they are trying to gain space. Therefore, they have to get it out of the driveway.

D. Schlansker held up the map on camera to verify the area it is to be located. K. Cozzolino stated he would agree to push it back as far as possible. D. Schlansker noted that the applicant has already changed the location some, based on the Board's recommendations.

Chairman Hennel inquired about screening. K. Cozzolino agreed to shield it with screening in the spring. D. Schlansker noted the pine trees will help hide it.

J. Febo offered a possible location, placing it the long way at the top of the driveway, with the fence on each side. K. Cozzolino stated that at the last meeting the request was to push the shed as far to the right as possible. He doesn't know the exact pitch there. He might have to wait till spring to measure that spot. He would be willing to put it there if there is no slope.

J. Febo noted that would get it further out of the front yard.

John Rinebolt, 404 Ballston Road, Glenville, NY 12302 for a proposed lot line adjustment. These parcels are located within the Professional/Residential Zoning District and are identified on the tax map as parcel# 30.10-2-8. & 30.10-2-9

In accordance with the Codes of Glenville, the following variances are being requested:

270- Attachment 1 Minimum lot size: Professional residential zoning district requires a minimum lot size of 30,000 square feet. Applicant is proposing to create a lot of 16,525 square feet and is requesting a variance of 13,475 square feet.

270- Attachment 1 Minimum lot depth: Professional residential zoning district requires a minimum lot depth of 180 linear feet. Applicant is proposing to create a lot depth with 129 linear feet and is requesting a variance of 51 linear feet.

270- Attachment 1 Minimum Frontage: Professional residential zoning district requires a minimum of 140 linear feet of frontage. Applicant is proposing a lot with frontage of 101 linear feet and is requesting a variance of 39 linear feet.

270- Attachment 1 Minimum Front Setback: Professional residential zoning district requires a minimum front building setback of 40lf. Applicant is proposing a lot with a front building setback of 19.4 linear feet and is requesting a variance of 20.6 linear feet.

Chairman Hennel asked the applicant to explain the area around the property. J. Rinebolt stated the Horstman Farm Stand is directly across the street from his property. They are the last property developed of the 12-15 houses on the East side of the street, coming from the south.

Chairman Hennel asked if the second building is located on the northern property? J. Rinebolt explained that both buildings on the diagram are located at the 404 Ballston address. The large dotted arc on the diagram is the property line established in the 19th or 18th century as part of the Glen Sanders Manor. The parcel with nothing on it was created out of the Piotrowski Farm in 1947. Chairman Hennel asked if there would be any change to the frontage of the lot? Are you reducing the frontage? J. Rinebolt explained what the surveyor lines show on the diagram. It measures 111' from the utility pole (20' from the property line) down to the next utility pole. The frontage of the new property will be 101'. They are trying to square up the properties to make them more recognizable. The frontage of the house lot is 137'+31'.

Chairman Hennel asked if the planter with the sign was for the building in the back? J. Rinebolt replied that it is for that building and will be moved to the other side of the driveway per PZC.

J. Febo clarified that currently the southern parcel has a house and a business. Will dividing them into separate lots cause any zoning changes? A. Briscoe explained that the zoning will stay the same, as a legal non-conforming use. Chairman Hennel confirmed it is a professional zoning district. A. Briscoe replied yes.

J. Rinebolt stated the septic to the salon will be on the salon parcel, as designed by professional engineers when the building was built. Arnold Briscoe noted an email sent to the Board contains the new drawing with added water lines, septic lines, etc. J. Rinebolt stated that he will have additional information added to the survey plot by next week's meeting. Chairman Hennel requested email copies to be provided to Board members before the meeting.

B. Peterson stated the proposed property line is 128' and the intent is to make it more square. Why not continue that line to make the northern property a rectangle and the southern property a triangle? J. Rinebolt explained the whole objective was to get each building on a separate piece of property. B. Peterson asked if the Jackie's Pet Salon building is in good shape? J. Rinebolt replied yes, they built it in 1992.

D. Schlansker asked if the two properties will be owned by the current owner? J. Rinebolt explained that currently 4 people own both properties. That will stay the same.

Silas Schrader, 2311 West Glenville Road, Glenville, NY 12302 for the proposed construction of a covered front porch. This property is located within the Rural Residential Zoning District and is identified on the tax map as parcel# 3.4-2-2

In accordance with the Codes of Glenville, the following variance is being requested:

270 Attachment 1 Front Setback: Rural residential zoning district requires a minimum front setback of 75ft. The existing structure is already at a substandard setback but is a legal non-conforming structure. A variance to further encroach an additional 9ft into the existing substandard setback is being requested. The property owner will be removing the existing 9 ft x 10 ft front porch and replacing it with a new covered front porch in the same footprint.

Chairman Hennel stated the applicant is swapping concrete steps for a covered front porch. The overall footprint will not be bigger. A. Briscoe explained that because it will be part of the structure, there are setback rules. Chairman Hennel noted that other properties in the area are similarly close to the road. It was noted that the applicant was not on the call.

B. Peterson asked if the plan is for the existing area to be fully enclosed with steps added, bringing it closer to the road? A. Briscoe explained that technically it will come out a little further.

"We don't usually consider steps when calculating the setback." Once a roof is added it becomes part of the structure. Chairman Hennel noted that it's not an enclosed porch, just a covered porch. Could he enclose it at a later time? A. Briscoe replied yes, with a building permit. Chairman Hennel said it could be a condition to not enclose the porch.

B. Peterson asked if the applicant would consider locating the steps to the left of the porch? Otherwise, they might come into the sidewalk.

Chairman Hennel asked the building department to follow up on a plan for the sidewalk and steps. A. Briscoe also mentioned the applicant is renovating inside the building as well, to make it a single-family residence.

D. Schlansker noted that on the first page of the application the treads are included in the measurement for variance.

A discussion was had regarding meeting remotely next week. C. Heinel explained that ZBA can do the Webinar remotely, as open meeting laws are suspended until 1/1/21.

MOTION: To adjourn the December 21, 2020 Agenda meeting of the Town of Glenville Zoning Board of Appeals.

Submitted by,

Stenographer

Date

ZBA Chairman

Date

Town Clerk

Date