

# Town of Homer Zoning Board of Appeals

Minutes for Wednesday, April 27, 2022 at 6:00pm

## Board Members (absent \*)

Dan Gustafson, Chairman

Stuart Young

Gary Sweeney

Joseph Gilbert\*

Rhea Robinson

Ryan DuBois

Lynn Gilbert\*

## Others Present

Lindsay Andersen, Recording Secretary

Kevin McMahon, CEO\*

Pat Snyder, Attorney

Public Attendance: Stephen Young, Jerry & Diane Nachtrieb

## Public Hearing

Chairman Gustafson opened the public hearing to consider **an application by Stephen Young for an area variance to build a garage less than 7 feet from the property line at 5740 Route 11.**

The applicant stated that he would like to build a new garage, but the proposed location of the garage would be less than 7 feet from the property line. He was unsure of the exact distance as the size of the garage has not been finalized but stated the distance would be greater than 3 feet and would allow plenty of space for maintenance purposes.

Jerry Nachtrieb stated that they are the adjacent neighbor's to Stephen Young, own the property bordering the proposed location and they are in complete support of the project. They stated they have no preference how far the garage is from the property line as long as the building remains on the applicant's property.

There were no further questions or comments from the public and the public hearing was closed.

Chairman Gustafson opened the public hearing to consider **an application by William Luety for an area variance to build a garage within the setback distance at 2146 NYS Route 13.**

There were no further questions or comments from the public and the public hearing was closed.

## **Regular Meeting**

Chairman Gustafson opened discussion for **an application by Stephen Young for an area variance to build a garage less than 7 feet from the property line at 5740 Route 11.**

Attorney Snyder stated that the application was sent to the County Planning Board for review. The County Planning Board stated there is no state or county wide impact and the application was returned for local determination.

Attorney Snyder stated this is considered a type 2 action under SEQR and therefore does not need a short environmental assessment form.

Member Young made the motion to grant the area variance with the condition that there is a minimum setback of 3 feet from the property line. Member Robinson seconded the motion. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried unanimous 5,0,0.

Chairman Gustafson opened discussion for **an application by William Luety for an area variance to build a garage within the setback distance at 2146 NYS Route 13.**

Attorney Snyder stated that the application was sent to the County Planning Board for review. The County Planning Board stated there is no state or county wide impact and the application was returned for local determination.

The County Planning Department did question the grounds for requiring the variance.

Attorney Snyder stated this is considered a type 2 action under SEQR and therefore does not need a short environmental assessment form.

Member Young made the motion to grant the area variance as requested. Member Sweeney seconded the motion. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried unanimous 5,0,0.

## **Adjournment**

The meeting was adjourned at 6:30pm.

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Lindsay M. Andersen, Recording Secretary