

LIVINGSTON ZONING BOARD OF APPEALS

January 05 2021

The meeting opened at 7:00 p.m. with the Pledge of Allegiance.

Attendance:

Thomas Alvarez
Charles Schneider
Charles Dickens
Attorney Ted Hilscher

Absent:

Sarah Price
Stan Yarian
Zach Feuer

A motion to accept the minutes of the December 01 2020 minutes was made by Charles Schneider and 2nd by Charles Dickens. All present voted AYE.

Correspondence: None.

The public hearing for John Twiss opened at 7:02.

An Area Variance for the construction of a front porch that is deteriorating and to be able to extend the new porch a few feet. The property that is the subject of the application is located at 356 Water Street Road, Livingston, New York. A variance of 3 feet is needed. Public hearing closed 7:04.

Attorney Ted Hilscher completed the Short Form EAF.

A motion to approve the EAF with a negative declaration was made by Charles Dickens and 2nd by Charles Schneider. All voted AYE. Motion passed.

Zoning Book 11 ii Determining Granting a Variance.

The following 5 questions were asked.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. Answer NO
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. Answer NO
3. Whether the request area variance is substantial. NO
4. Whether the proposed variance will have an adverse effect or impact in the physical or environmental conditions of the neighborhood or district. NO
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the granting of the area variance? NO

A motion to grant the area variance (3 feet) as presented was made by Charles Schneider and 2nd by Charles Dickens. All present voted AYE. Area Variance granted.

The public hearing for Victoria Hattam and Thomas Graham opened at 7:15.

Victoria Hattam and Thomas Graham of 5261 Route 9G seek to install an in-ground backyard pool for which they do not currently have proper setbacks, an area variance for an additional 30 feet (side) and 40 feet (rear) to facilitate construction. The pool dimensions seek to be 18x45 feet to be built in the rear of the house. The notification of neighbors were received and there was no comments from the public or written correspondence received concerning this application. Paperwork was deemed complete. Public hearing closed at 7:17.

Attorney Ted Hilscher completed the Short Form EAF.

A motion to approve the EAF with a negative declaration was made by Charles Dickens and 2nd by Charles Schneider. All voted AYE. Motion passed.

Zoning Book 11 ii Determining Granting a Variance.

The following 5 questions were asked.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. Answer NO
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. Answer NO
3. Whether the request area variance is substantial. NO
4. Whether the proposed variance will have an adverse effect or impact in the physical or environmental conditions of the neighborhood or district. NO
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the granting of the area variance? NO

A motion to grant the area variance for an additional 30 feet (side) and 40 feet (rear) to facilitate construction as presented was made by Charles Dickens and 2nd by Charles Schneider. All present voted AYE. Area Variance granted.

There being no further business a motion to adjourn was made by Charles Schneider and 2nd by Charles Dickens. All present voted Aye. Motion passed.

Meeting closed at 7:25pm.

The next scheduled meeting is February 02, 2021.

Respectfully submitted,

Eileen Yandik, Secretary ZBA