

LIVINGSTON ZONING BOARD OF APPEALS

September 07 2021

The meeting opened at 7:01 p.m. with the Pledge of Allegiance.

Attendance:

Thomas Alvarez

Charles Schneider

Sarah Price

Charles Dickens

Stan Yarian

Attorney Ted Hilscher

Absent:

Zach Feuer

A motion to accept the minutes of the August 03, 2021 minutes was made by Sarah Price and 2nd by Charles Schneider. All present voted AYE.

Correspondence: A letter from the Linlithgo Reformed Church.

7:08 The public hearing for Foreground Conservation Dawn D'Aluisio & John Lippert an area variance as a parking space is required for every 150 sq. Requiring 20 parking spaces opened. They request to reduce the number of spaces to 3. Property located 450 Church Road. Notification of neighbors was received. Fee paid.

A written letter from the Linlithgo Reformed Church Consistory showing their complete support of this proposal that is before the ZBA at this time.

Comments from the public:

1. Desiree Webber In favor. Happy to welcome them.

The Board reviewed the application.

1. No employees just the two partners.
2. A work shop for the conservation of art.

3. The need for 3 parking spaces is acceptable.
4. Charles Schneider would like to see the property lines defined and a copy of the survey.

Public hearing closed at 7:15.

Attorney Ted Hilscher completed the Short Form EAF.

A motion to approve the EAF with a negative declaration was made by Sarah Price and 2nd by Stan Yarian. All present 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.
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.
3. Whether the request area variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact in the physical or environmental conditions of the neighborhood or district.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the granting of the area variance?

A motion to accept was made by Sarah Price and 2nd by Charles Dickens.

Vote as follows:

Charles Schneider	Abstain
Sarah Price	Yes
Charles Dickens	Yes
Stan Yarian	Yes

Motion passed.

A motion to grant the area variance (3 parking spaces) as presented was made by Stan Yarian and 2nd by Sarah Price. . All present voted AYE. Area Variance granted.

7:25 the public hearing opened for Wendy Wisbrun representing Lucinda K. Treat an area variance as they are converting an existing horse barn into an accessory apartment for the owners Mother. The existing barn has a ground floor area of 735 sq. ft. and an existing loft of 255 sq. ft. They would like to utilize the entire 990 sq. ft. Property located 21 Marlin Hill Road.

The accessory apartment is in the same foot print of the barn. The area will be 990 square feet. 800 feet is allowed a 190 foot variance will be needed.

Notification of neighbors was received. Fee Paid.

No comments from the public or written correspondence was received.

Public hearing closed at 7:28.

The Board reviewed the application.

Attorney Ted Hilscher completed the Short Form EAF.

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

Zoning Book 11 ii Determining Granting a Variance

The following 5 questions were asked.

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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.
3. Whether the request area variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact in the physical or environmental conditions of the neighborhood or district.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the granting of the area variance?

A motion to accept was made by Sarah Price and 2nd by Charles Schneider. All present voted Aye.

A motion to grant the area variance 190 feet as presented with the condition that BOH approval is granted was made by Sarah Price 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 Sarah Price. All present voted Aye. Motion passed.
Meeting closed at 7:40 PM.

The next scheduled meeting is October 05, 2021.

Respectfully submitted,

Eileen Yandik, Secretary ZBA