

## Town of Conklin Zoning Board of Appeals – July 3, 2018

**MEMBERS PRESENT:** William Northwood, Chairman; Harold Cole, Art Boyle, Elizabeth Einstein Norm Pritchard,

**ABSENT:** none

**ATTORNEY:** Keegan Coughlin

**ALSO PRESENT:** Nick Vascello, Code Officer  
Mary Plonski, Secretary  
Willie Platt, Town Board Liaison

**VISITORS:** Richard Demuth 17 Munson Ave.

**7:00 P.M.** Chairman Northwood called the meeting to order

Chairman Northwood reviewed emergency procedures to all that were present.

Chairman Northwood asked for a motion to approve the minutes of our last meeting. Hal Cole motioned to approve June 5, 2018 meeting minutes, Art Boyle second. All present board members approved.

**Agenda Item #1 Richard Demuth 17 Munson Ave. Conklin, NY 13748  
Tax Map No: 178.11-2-33 Request for Area Variance regarding setback for  
Garage/Carport.**

Chairman Northwood read into record the following correspondence:

1. Letter of Intent from the applicant.
2. Application.
3. Short Environmental Assessment Form.
4. Broome County 239 comments.

This was a Negative Declaration Type 2 Action under SEQR.

Mr. Demuth presented a brochure of the carport to pass around to the board members. He explained that it was a three sided carport. The company said it would only take a few hours to put the whole thing up. He stated that with the variance he didn't feel they would need to drive anywhere near his septic system.

Art Boyle asked if there would be a garage door put on. He was not sure at this time. Art asked if that made a difference for the variance. Keegan stated it did not.

Hall Cole asked if it was going on footers. Mr. Demuth said 6-8 concrete piers. He would be digging the holes.

Liz Einstein asked what the height was on the carport. He said it wouldn't be over 10-12 feet. The sides are 8 feet. The height was within town code.

The down spouts would go to the back of the property away from other buildings.

Mr. Demuth said his neighbor had no problem with where he wanted the carport to be.

Art Boyle asked if the overhang was included in the 5 ft. variance. It was not. The motion will read 5 feet from the eaves.

There was a discussion on the flooring of the carport. Will Platt ask if the floor would be concrete? Mr. Demuth said he didn't know for sure. The price of concrete was almost \$10,000. He thought it might be gravel for now. Hal commented that code would deal with the base when he applied for the building permit. Nick Vascello clarified that it could be grass, gravel or concrete. It just could not be asphalt.

**Norm Pritchard made the following motion:** I move that we grant the application of Richard Demuth for area variances for property located at 17 Munson Ave., Conklin, New York, tax map number 178.11-2-33. For an area variance to allow: For a garage/carport for the storage of vintage cars and trucks with a 5 foot variance from eaves on the east side of the property. Because the benefit to the applicant, when considered against the detriment to the health, safety, and welfare of the community, weighs in favor of the applicant, based on the following findings of fact:

1. An undesirable change will not be produced in the character of the neighborhood or to nearby properties because it blends in with the neighborhood.
2. The benefit sought by the applicant cannot be achieved by some other feasible method. The building cannot be moved because of the position of the septic system and drywell location.
3. The requested variance is not substantial. It will not have a negative effect on the neighboring properties.
4. The proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood. Building is far enough away from the property line with sufficient water drainage.
5. The alleged difficulty was not self-created. The applicant just purchased the property last November and there is no other place to put the garage/carport because of the septic system.

This motion includes the following conditions:

Do not drive trucks or heavy equipment on or near the septic system.

The gutters and downspouts will be positioned away from the property line and other buildings.

Flooring must comply with Town of Conklin code.

Completion within one year.

**Hal Col second motion** and all present board members approved.

Keegan Coughlin clarified the process of appealing an interpretation of the town code.

Chairman Northwood asked for a motion to adjourn.

**Art Boyle motioned** to adjourn the meeting. **Hal Cole second motion.** All present board members approved.

**Next Zoning Board Meeting will be held on Tuesday, August 7, 2018.**

Northwood closed the meeting at 7:42 p.m.

*Respectfully Submitted,*

*Mary Plonski – Zoning Board Secretary*