

## Town of Conklin Zoning Board of Appeals – September 4, 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:** Abigail Mack 14 Grandview Dr.

**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 August 7, 2018 meeting minutes, Norm Pritchard second. All present board members approved.

**Agenda Item #1 Abigail Mack, Mary Burkhalter 14 Grandview Ave. Conklin, NY 13748  
Tax Map No: 178.07-2-44 Request for Area Variance regarding setback for  
Garage.**

Chairman Northwood explained that for an area variance the board must weigh the benefit to the applicant against the detriment to the health, safety and welfare of the neighborhood or community. The board must take into account five factors, 1) whether and undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created, 2) whether the proposal can be achieved by some other feasible alternative. 3) whether the area variance is substantial. 4) whether the variance will have an adverse impact on the physical or environmental conditions in the neighborhood. 5) Whether the difficulty was self-created.

Chairman Northwood read into record the following correspondence:

- 1) The Application.
- 2) Short Environmental Assessment Form.
- 3) Review photos and plans.

The homeowner explained that they have lived in Conklin for 16 years. Survived two floods and would like to stay in Conklin. At the present the one uses the garage and the other the driveway. They are both getting up in years and would to be able to park both their vehicles out of the elements. The driveway is currently a double driveway. It narrows when you get to the garage.

This was a Negative Declaration Type 2 Action under SEQR.

Chairman Northwood asked how their neighbor feels about getting close to the property line. They had no problem with it being a permanent structure. Art Boyle brought to everyone's attention that number 3 of the application also states that the neighbors had no problem with the addition.

Hal Cole stated that he spoke with the builder and homeowners and that the siding on the new part will match the existing siding on the rest of the house. There is no drain in the existing garage and there will not be one in the new part. He also spoke with Abigail that the down spouts should be directed away from the neighbor's property. That should be a condition to the approval.

**Liz Einstein made the following motion:** I move that we grant the application of Abigail Mack and Mary Burkhalter for area variances for property located at 14 Grandview Ave., Conklin, New York, tax map number 178.07-2-44. For an area variance to allow: For a setback of an 8 ft. variance because 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 due to the size of their property.
3. The requested variance is not substantial. It will not have a negative effect on the neighboring properties. There are several of homes in the area with the same layout.
4. The proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood.

This motion includes the following conditions:

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

Completion within one year.

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

Chairman Northwood reminded members that there is a workshop later in September with Coughlin & Gerhart and another in October. Both are 4 hour courses. Please sign up ASAP.

Chairman Northwood asked for a motion to adjourn.

**Art Boyle motioned** to adjourn the meeting.

**Next Zoning Board Meeting will be held on Tuesday, October 2, 2018.**

Northwood closed the meeting at 7:35 p.m.

*Respectfully Submitted,*

*Mary Plonski – Zoning Board Secretary*