

Town of East Fishkill

ZONING BOARD OF APPEALS

September 27, 2022

Chairperson Drummond called the Zoning Board of Appeals to order with a roll call. Those present were Rocco Limitone, James Meier, Aziz Ahsan, Alberto Paratore, and Norma Drummond. Michael Cunningham, Esq., Town Attorney; Matt Ricketts, Zoning Administrator; and Jackie Keenan, Clerk, were also present.

Chairperson Drummond led the meeting with the Pledge of Allegiance.

CHAIRPERSON'S COMMENTS:

Chairperson Drummond went through the procedure of the meeting. There will be no in person public participation. There are two Public Hearings and public comments will be taken after the Board has asked its appropriate questions. These are applications that the Board has reviewed and now the neighbors will have a chance to speak regarding these, as the Board acknowledges that they will know the property better than the Board members. They will be given instructions on how to participate at the appropriate time. There are a few reviews, which generally are the first time the Board is seeing these applications. There will be no public comments on any of these reviews this evening. Neighbors will be noticed on these applications at the appropriate time. This is the time to work through any issues with the applicant before the Public Hearing gets opened.

There is still an alternate position available, so if anyone is interested, please get their resume to the Town Board.

Chairperson Drummond stated that the next meetings would be Tuesday, October 25, 2022 and Tuesday, November 22, 2022.

MOTION made by Aziz Ahsan, seconded by James Meier, to approve the minutes of the meeting held August 23, 2022, as amended. Voted and carried unanimously.

PUBLIC HEARINGS:**PUBLIC HEARING – - Appeal 4035 – Michael Curcio (6655-01-215882)**

Michael Curcio, 33 Cherry Lane, Hopewell Junction, is requesting a 22' side line variance to allow a proposed 22' x 24' (528 sf) addition to a pre-existing non-conforming detached garage, 24' side line and a 20' front yard variance to allow an existing 23' x 24' (552 sf) pre-existing non-conforming garage and a 282 sf area variance for a proposed 1,032 sf detached garage, pursuant to Section 194-107 of the Zoning Ordinance and the Schedule of Bulk Regulations of the Zoning Ordinance.

Richard Vale, and Michael and Stephanie Curcio were present.

MOTION made by Aziz Ahsan, seconded by Alberto Paratore, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated they have had multiple sessions to review this application. This property is in an R3 zone. It is just over 1 acre, so it is a nonconforming lot. The property currently has a house and on the right side is a driveway with an existing garage that is only one car length in from the roadway. The garage is a two bay, two car garage and there is also a lean-to or open-ended shed in the back of the property. The applicant is proposing to add on to the existing garage. It is an existing nonconforming use because detached garages in town are not allowed in front of the residence. He is proposing, in essence, a two bay garage but only one bay door. It would be off to the back of the existing garage. The total dimensions of this garage would be 22' x 47' which is 1032 sq. ft., which is essentially the footprint size of a house. He is not proposing a second floor on this but if he did have two floors it would be over a 2000 sq. ft. house. The applicant has stated there are other houses in this neighborhood who have other nonconforming, detached garages in front of the house. That was confirmed by a site visit. The applicant agreed that not all of the neighbors' properties are taken care of. One very close to him is not in great condition. It is not out of character to have a detached garage in this neighborhood. What is out of character is the size of this proposed garage and the fact that it is so close to the property line. Screening was discussed. There is a lot of vegetation on the left iside of the property. The applicant stated his intent is to make the garage look better. Coming from the other side there is some existing ornamental tall grass that has been planted in the front. It does not really screen the view. Once you

come over the hill toward Leetown Road the property is very visible. The property is maintained well. There are the remnants of what was an above ground pool that has been made into a sitting area. One of the things that was discussed was that the applicant does have an alternative location where this garage could go. It is certainly not the cheapest way to go because it would mean building an entire structure in the back and eliminating the structure that is there. The applicant has been working with this Board to modify the original design. The original design had the building at 20 feet high and it is now down to 14 feet high. There will be no residential use in this space. The board still has to recognize that this proposed structure is the size of a small house. The applicant has stated he is looking to retire and looking to be able to work on cars. He is looking to be able to park his wife's car in that garage. There will be no commercial use out of this. Mr. Vale said in addition to adding more grasses, they will be adding evergreens along the driveway. It would provide additional screening. Chairperson Drummond asked exactly where they would be putting those trees. Mr. Vale showed the Board on the site plan. There would be six of them.

Chairperson Drummond asked if there were any comments or questions from Board members. Mr. Meier stated his only concern originally was that the size of it would make it very imposing. The applicant has worked to reduce that. Mr. Limitone stated they have discussed this with the applicant several times and he has made several changes.

Chairperson Drummond stated there were three letters that were received. They were from Christopher Emmeluth, 609 Leetown Road, Jonathan and Erica Trivelas at 24 Cherry Lane and Rukaj Paul at 40 Cherry Lane all in favor of this application. Chairperson Drummond asked if there was anyone from the public to speak for or against this application. There was no one.

Chairperson Drummond stated that by code they are allowed a detached garage of up to 750 sq. ft. or 60% of the square footage of the footprint of the house. This is an oversized garage. There is an additional variance needed for 282 sq. ft. because the garage that is being requested is larger than 60% of the home or 750 sq. ft.

MOTION made by Aziz Ahsan, seconded by James Meier, to close this Public Hearing and reserve the decision. Voted and carried unanimously.

PUBLIC HEARING – Appeal 4044 – Sadhis Rivas (6546-04-674315)

Sadhis Rivas, 199 Blue Hill Road, Hopewell Junction, is requesting a 9' & 11' left sideline variance and a 30' & 32' right sideline variance for ground mounted solar panels, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Mr. and Mrs. Rivas were present.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated they have reviewed this application last month. This is a long, but narrow lot and anywhere they would put the solar panels would require a variance. They are putting them in the least intrusive place for the neighbor's by keeping them in the center of their property. The roof does not point in the right direction to get enough solar coverage. Chairperson Drummond stated the one concern came up at the last meeting and it was that the residence has two sets of panels and there are two utility meters and two sets of services. She asked why that would be there for a single-family residence. Mr. Rivas stated it was installed prior to their owning the property. There is an attached cottage like area. Chairperson Drummond asked if there was a second residence on the property. Mr. Rivas stated no. It was just an area that his children would use when they come to visit as extra bedrooms. Mrs. Rivas stated the cottage was used for the servers of the house well before they purchased it. Mr. Rivas stated there is no other person living there. Mr. Meier asked how long they have owned the property and Mrs. Rivas stated 2 1/2 years. The house was built in 1779.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

Chairperson Drummond asked if there was anyone from the public to speak for or against this application. Ed Hizer stated he lives on Blue Hill Road. He asked why the panels were not being put on the roof. Chairperson Drummond stated the roof does not face the proper direction to get enough light. Mr. Rivas stated the roof is also not large enough for the number of panels as per the solar company.

MOTION made by Aziz Ahsan, seconded by James Meier, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4044

APPLICANT: Sadhis Rivas

NAME OF PROJECT: (i) 9' & 11' left sideline Variances from the requirements of the Schedule of Bulk Regulations; and (ii) 30' & 32' right sideline Variances from the requirements of the Schedule of Bulk Regulations for ground-mounted solar panels (the "Variances")

LOCATION: 199 Blue Hill Road, Hopewell Junction (the "Property")

TAX MAP NUMBER: 6456-04-674315

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member Rocco Limitone

WHEREAS, the Applicants seek to install ground-mounted solar panels pursuant to Chapter 100 of the Town Code; and

WHEREAS, the Property is approximately 7.4 acres; and

WHEREAS, similar to other parcels in the surrounding community, the Property is long and narrow; and

WHEREAS, the Applicant has proposed placing the ground-mounted solar panels in the least intrusive area of the yard; and

WHEREAS, due to the layout of the Property, the applicant cannot meet the required setbacks; and

WHEREAS, this is a Type II action under SEQRA, and no further review is required; and

WHEREAS, the Legal Notice was published in the Poughkeepsie Journal on September 22, 2022; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on September 27, 2022; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variances will not produce an undesirable change in the character of the neighborhood as the Property will remain residential in nature;

The desired result cannot be achieved by some other means due to the layout of the Property;

The Variances could be deemed substantial, but the proposed placement of the ground-mounted solar panels minimizes the requested Variances;

The Variances will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby

approves the request from Sadhis Rivas for: (i) 9' & 11' left sideline Variances from the requirements of the Schedule of Bulk Regulations; and (ii) 30' & 32' right sideline Variances from the requirements of the Schedule of Bulk Regulations for ground-mounted solar panels subject to the Applicant installing screening pursuant to a Landscape Plan to be approved by the Town Planner.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member Jim Meier

The votes were as follows:

Board Member James Meier Aye

Board Member Aziz Ahsan Aye

Board Member Rocco Limitone Aye

Board Member Alberto Paratore Aye

Chairperson Norma Drummond Aye

REVIEWS:

REVIEW – Appeal 4041 – Fausto Gonzalez (6457-02-591795)

Fausto Gonzalez, 7 Angela Court, Hopewell Junction, is requesting a 10' rear line variance for an existing 14'x14' (196 sf) pavilion, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Fausto Gonzalez was present.

Chairperson Drummond stated the Board did have the opportunity to review this application. This is a very odd shaped triangular lot. When they originally started work with the contractor he did not think they needed a permit. There is a natural patio where they are putting this and they thought it could go there with no issues. Then it was pointed out that it was too close to the property lines. A new survey was provided by the applicant which shows where everything is on the property. The closest corner of the gazebo is 36 feet, and one inch in. The patio is 32 feet in so it is fine. Mr. Gonzalez stated it is an odd shaped lot so when you were standing at the gazebo, it looks like you were in your neighbor's side yard. Chairperson Drummond stated it is in the applicant's rear yard. It should be 50 feet back, so they need the 14-foot rear line variance. She stated her concern is the shed and full utilities look like they are in the front yard. When they look closer those items are really behind the back line of the house

MOTION made by Aziz Ahsan seconded by James Meier, to advertise and set this for Public Hearing for the October 25, 2022, meeting. Voted and carried unanimously.

REVIEW - Appeal 4042 – Michael O'Halloran (6356-04-562202)

Chairperson Drummond stated Mr. O'Halloran said he may be running late, so this application was being put on for 2nd call at the end of the meeting.

REVIEW – Appeal 4043 – Kevin Keegan (6657-01-132645)

Kevin Keegan, 17 Sunny Lane, Stormville, is requesting a 65' side line variance for a ground mount solar panel, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Chairperson Drummond stated this applicant has asked for this to be adjourned until next month.

REVIEW – Appeal 4045 – Sabato Vivenzio (6557-014-468699)

Sabato Vivenzio, 6 Americana Blvd, Hopewell, is requesting a 10' side line and a 34' rear line variance for a 24'x30' (720 sf) detached garage, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Sabato Vivenzio was present.

Chairperson Drummond stated that the detached garage is less than 750 sq. ft. She asked the applicant where exactly it was going to be placed as this is the first time the Board was seeing this application. She asked if the applicant has as a garage. Mr. Vivenzio stated yes he does. It is under the house. Chairperson Drummond asked why he needed such a large garage. He stated the garage he has right now is only 7 feet high and neither of his two trucks will fit into it. Chairperson Drummond stated a typical garage is 24' x 24'. The applicant is asking for 24' x 30', and she asked him why. He stated the two trucks are very large and he would like some storage space. Chairperson Drummond asked why he cannot move it further back on to the property. She stated the 30-foot is what is making it require a variance. If the applicant reduced the 30 feet down to 24 feet, he would not need the variance. She asked why it could not be moved closer to the house or closer to the rear of his property. Mr. Vivenzio stated it is directly behind where the existing driveway ends. It is only 10 feet away from his house. Mr. Ahsan stated it looks like it's quite a distance from the house. He asked if the applicant could move the garage closer to the deck area. Mr. Ahsan said there is a paved driveway and a gravel driveway and right now this proposed garage is right at the end of the gravel driveway. If it were to be moved closer to the paved driveway, he would reduce the variance that is needed. Mr. Vivenzio said he has a garden and a fence on the side. He stated he could move it over a couple of feet. Chairperson Drummond stated the right side goes well beyond the paved driveway and the gravel drive. If the applicant moved it over some and reduced the size to a normal size garage, he would not need a variance at all. She asked how high this project is proposed to be. Mr. Vivenzio stated it will be 18 to 19 feet high. He wanted a gabled roof. There will be a little loft at the top for storage. Chairperson Drummond asked if there was a set of plans for this proposal. Mr. Rickett stated yes, there should be one in the office. Chairperson Drummond asked what the exterior would be. Mr. Vivenzio stated it would be hardie board to match the house. Chairperson Drummond asked what was between the side yard and the neighbor's yard. Mr. Vivenzio stated there are 2 feet between the two properties. There were notes from the Building Department site inspection. Mr. Rickett stated the neighbors shed is almost lined up with the proposed garage. The applicant has told him his wife wants to park in the garage. Chairperson Drummond stated there is a lot going on in the yard and the applicant does need a garage. She asked if there would be any residential upstairs and the applicant said no. Chairperson Drummond asked Mr. Rickett if there is any issue with

the height and Mr. Rickett said no. Chairperson Drummond asked if he had spoken to the neighbors yet. Mr. Vivenzio said the neighbor has not voiced any concerns and they talk all the time. Chairperson Drummond asked where the septic and the well were and the applicant stated they were on the left side. She asked about the notation regarding edge of water. Mr. Meier said it may be something on the neighbor's property. Mr. Vivenzio stated there is an easement over there for some water. Mr. Ahsan asked about the water well on the property and Mr. Vivenzio stated it was his. Mr. Ahsan asked if that was where the well water ran. Mr. Vivenzio stated he thought that was the community water line. Chairperson Drummond asked why he was proposing it to be so far back from the paved driveway. Mr. Vivenzio said it was only five or six feet past there. Chairperson Drummond stated the survey showed it at least 15 feet away. Mr. Vivenzio stated there is a sidewalk in his garden right there with the fence and he is going two or three feet past the fence.

MOTION made by Aziz Ahsan seconded by Rocco Limitone, to advertise and set this for Public Hearing for the October 25, 2022, meeting. Voted and carried unanimously.

REVIEW – Appeal 4046 – Michael Smilkstein (645-01-433529)

Michael Smilkstein, 26 Clove Branch, Hopewell Junction, is requesting a 51' right side line, 37' left side line, and 37' rear line variance for a ground mounted solar panel, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Bryan Flynn, Mr. and Mrs. Smilkstein were present.

Mr. Flynn stated they are seeking a variance for a ground mounted solar array and he handed out photos to the Board members. This array consists of 28 LG 435 solar panels and one SMA 7.0 inverter and a minimally invasive 175-foot trench for conduit for an additional rapid shutdown initiation device mounted on the southeastern side of the residence. There will be a rapid shutdown at the array as well due to disconnects. It is basically a knob that the fire department can turn off immediately if there is a fire risk. They are seeking an area variance because they are not in compliance with the setback requirements despite complying under all other relevant code under Chapters 80, 100, 110, 154 and 194 in the municipal code. The solar array will be significantly and naturally screened from neighboring parcels. They are seeking a variance for Chapter 100 section 7C, specifically. The setbacks are respectively 49 feet, 63 feet, and 63 feet from the side and rear property lines. They will be working in compliance with any other local, state, fire, and electrical code as well. Any vegetation or disrupted landscape will also be restored to prevent erosion harm to the micro-ecology. On the EAF there is also

no harm noted by DEC or any other resource mappers in terms of affecting wetlands or any other resources negatively. They are seeking guidance from the Zoning Board so they can move forward to the Planning Board. Chairperson Drummond complemented Mr. and Mrs. Smilkstein on the nice job they did on their garage. Chairperson Drummond stated they are proposing to put the solar array in the middle of the backyard. Anywhere they were to put it on the site would require a variance.

MOTION made by Aziz Ahsan seconded by James Meier, to advertise and set this for Public Hearing for the October 25, 2022, meeting. Voted and carried unanimously.

REVIEW – Appeal 4047 – Victor Margiotta (6657-03-100145)

Victor Margiotta Jr., 6 Twin Ponds Ct, Stormville, is requesting a 10’ side line variance for a 16’x18’ (288 sf) gazebo, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Victor Margiotta was present.

Chairperson Drummond stated this is the first time the Board is seeing this application. Mr. Margiotta stated that they just put in an inground pool and did a patio. While they were doing the patio they decided it would be nice to add a gazebo for shade. The contractor said they did not need a permit. When he saw the size of it the first day of construction, he had the contractor stop so he could call the Town. The contractor said they only needed 15 feet and Max, from the Town, told him he needed 25 feet. Now he has a half-built gazebo in his backyard. This is the only viable location for the pool due to the septic location. The contractor has done exquisite work so far. There is very minimal work for them left to do. All the hardscaping is done. There are some plantings and screening to be added, and privacy screens. He did go speak to his neighbor, who wrote a letter for this application. His only concern was regarding a stone lined ditch between the properties. It starts a foot onto the neighbor’s property and then goes onto the applicant’s parcel. The neighbor wanted to be sure if it was disrupted, it would be replaced. Mr. Margiotta stated that retaining wall was 16 feet from the property line. The new survey shows the overhang, but that has not been done yet. The neighbor’s other concern was the visual. Mr. Margiotta stated his yard is immaculate and he has no plans to do anything that doesn’t fit in with what’s already there. He offered to do anything the neighbor wanted. He offered to put boulders there as well. Chairperson Drummond asked what will happen to that if the applicant decides to sell the home. Mr. Margiotta said it will not be mowable. It will have mulch beds and planting like ornamental grasses. Chairperson Drummond suggested some sort of perennial that will grow and fill in the area. That will

help to stop some of the water issue there. Mr. Margiotta stated they are also putting 14 green thuja trees in on the property line. Chairperson Drummond asked how he was addressing the screening of visibility of the gazebo from the neighbor's property. Mr. Margiotta stated the green thuja is 8 to 10 feet at planting and grow to 20 to 30 feet. They are deer resistant. They are a form of arborvitae. They only grow 8 to 10 feet wide. Chairperson Drummond stated there is a second letter dated September 26. Mr. Margiotta was unaware of that letter. In that letter Michael Nestler stated concerns about the ditch that has been dug up and he is worried that the runoff will become greater. A copy of the letter will be provided to the applicant. He stated that the contractor was going to be restoring that ditch. It will probably function better when it is replaced. It will be very symmetrical and start at about 3 feet wide and start about 1 foot onto the neighbor's property and then merge onto his property like it did before. They saved the stones that they removed from the original one to use on this. Chairperson Drummond stated the swale needs to be lined in rock to slow drainage. The neighbor did voice a concern about the runoff from the roof of the gazebo. Chairperson Drummond stated it is the same amount of water coming off of the roof that would have been coming off of that patio area, it is just a difference as to how fast is coming down. Mr. Margiotta stated he did ask the contractor for a lower pitch but the contractor said in the North he needed this is as it was for snow to come off of it. Mr. Limitone stated they could put a gutter around the gazebo and run the rainwater off the back side of it. Mr. Ahsan stated the applicant is addressing all of the neighbor's concerns as they arise. Mr. Margiotta said the contractor did state it could be taken down if necessary. When he went to the Building Department, they told him not to take it down yet. He should apply for a variance to see if it could get approved first. Chairperson Drummond stated what is proposed is beautiful and the pictures they have seen so far are as well. The fact that he is engaging in conversation with the neighbor is good. He should continue to address the concerns. When there is a Public Hearing, he can come to address any of those concerns in person if he so chooses. She did state that there is one outstanding issue in regard to the height of the retaining walls. Mr. Rickett stated he checked them today and they are good. Mr. Margiotta stated he kept the retaining wall behind the pool because he wanted to keep it as far away from the septic system as possible. He did not want to grade over it and cause any problems. He had called the Department of Health to ask how far off the septic he should be to make sure he was way off of it.

Chairperson Drummond asked if there were any additional comments or questions from Board members. There were none.

MOTION made by Aziz Ahsan seconded by Rocco Limitone, to advertise and set this for Public Hearing for the October 25, 2022, meeting. Voted and carried unanimously.

REVIEW – Appeal 2216 – Shenandoah Farm, LLC (6555-00-135831)

Shenandoah Farm, LLC, 270 Jackson Road, Hopewell Junction, is requesting an extension on their Soil Mining Permit for Shenandoah Farms, which was granted by the Zoning Board of Appeals on July 8, 2008, pursuant to Section 194-75 of the Zoning Ordinance. (Permit was originally issued July 8, 2008 and renewed through October 27, 2022).

Dan and John Jackson were present.

Chairperson Drummond stated this is an existing operating soil mine. Every two years in review of the permit extension, the Building Department has to go out and do a review and inspection. Everything appears to be as proposed and it is in compliance. There is very low activity. There is reclamation of the property as materials are exhausted. There are no complaints received, nor were there any violations.

MOTION made by Aziz Ahsan seconded by Rocco Limitone, to advertise and set this for Public Hearing for the continuance of this permit for the October 25, 2022 meeting. Voted and carried unanimously.

Mr. Dan Jackson stated this is also the year that the DEC permit will expire. Chairperson Drummond stated their permit cannot go past the DEC permit so they will make it match with that.

REVIEW - Appeal 4042 – Michael O’Halloran (6356-04-562202)

Michael O’Halloran, 11 Lori Street, Poughkeepsie, is requesting to build on an under-sized lot - +/- .86 acre in an R-1 zone on Birch Drive, pursuant to the Section 194-130 of the Zoning Ordinance.

Mike O’Halloran was present.

Chairperson Drummond stated the Board did review this application last month. The applicant did submit some additional information. The subdivision was created before zoning existed in Town. The property owner merged these lots in March 2022. The owner does not own any additional lots in the area. If the owner did own other lots in the area, he would have to merge this one to get the property to the right size. The other important fact is that there are neighboring properties that are similar in size because the subdivision was created prior to zoning. Chairperson Drummond stated they were looking for that information because sometimes lots are created smaller, and the owners are compensated for it.

If the owner has been previously compensated, the lot should not expect to get a variance at a later point. Mr. O'Halloran stated Oswald did a new survey. The engineer is Bill Povall. They are in the process of getting the property Board of Health approved. The applicant wants to make sure that the property can get Board of Health approval and that it is able to get a variance to build on it before he purchases it. Chairperson Drummond stated now that he has a survey, he needs to be aware of his buildable area. It is a very long lot, but it is not deep. They need a 50-foot front yard and a 50-foot rear yard, so they only have 25 feet to have the house. Mr. O'Halloran stated that Mr. Povall looked at the neighboring house and stated it is very close to what they would be able to build on this property. They could have a smaller backyard and use the side yards. Chairperson Drummond stated that would need an additional variance. Chairperson Drummond asked how wide the house from the front door to the back door was being proposed. Mr. O'Halloran stated they have no plan yet. Chairperson Drummond stated right now the house cannot be more than 25 feet deep. That has to include the eaves and any staircases, or they will need to come back for additional variances. That is the issue with the building on an undersized lot. Mr. O'Halloran stated that Mr. Povall was saying the same things and understands what Mr. O'Halloran and his wife wanted. Chairperson Drummond stated he has room going side to side to make the house wider that way. She also stated that anything the applicant wants to put in the backyard needs to be cognizant of the smaller area. She suggested that he had Mr. Povall show him the buildable area. Mr. Meier stated they need to be aware they may never be able to put in a swimming pool with a very small backyard. Mr. Ahsan stated that could extend to sheds as well. Mr. O'Halloran stated the neighboring lot looks very similar with a small backyard. They are happy with the way that house looked. Chairperson Drummond stated even a play set or any type of structure may require an additional variance. She stated they could not give a blanket variance for a building. They need to know what exactly is being proposed. She stated he is going into this with eyes wide open as to what his buildable area is. If he buys this lot, he will be understanding the limitations of the lot. Mr. O'Halloran asked if there was any way for the Board to tell them how confident they would be in him getting approval for building on the undersized lot. Chairperson Drummond stated her suggestion would be to have a Public Hearing next month to hear if there any questions or concerns from the neighbors. Mr. Meier stated that the applicant needs to understand that the house needs to be kept narrow. If he gets the variance for an undersized lot now, he cannot come back later stating he wanted 50-foot-wide house. Chairperson Drummond stated a typical garage is 24' x 24' and he only has 25 total feet in width to work with. He cannot go beyond those 25 feet. Everything has to be within those 25 feet. Mr. Ahsan stated he will be building a long and narrow house to meet those requirements. The neighboring houses were built prior to code so they are grandfathered in.

MOTION made by James Meier seconded by Rocco Limitone, to advertise and set this for Public Hearing for the October 25, 2022, meeting. Voted and carried unanimously.

ADJOURNMENT

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to adjourn the Zoning Board meeting at 8:16 6PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary