

**ZONING BOARD OF APPEALS**  
**TOWN OF LLOYD**  
**MINUTES**  
**Thursday, February 11, 2021**

**CALL TO ORDER TIME: 7:00 PM**

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**

---

**Attendance-** John Litts, Paul Gargiulo, Russell Gilmore, Alan Hartman, Jessica Kenny, Shawn Zerafa

**New Business**

**All Space Storage, LLC 480 Route 299. 87.1-2-28 Area Variance**

Applicant is looking to obtain an Area Variance for 50% lot coverage on a lot where 40% lot coverage is permitted.

Kelly Libolt mentioned that the project is in DB zoning and is on 15 acres. There are already 13 buildings on the property and the applicant would like to add 5 new ones. The applicant is seeking variance on lot coverage as 40% is allowed in the zone, but they would need 50%. The new buildings would look identical to the original ones and there would be no changes to the existing ones.

Russ asked what the other buildings in the area were (residential or business)?

Kelly said that Health Quest and other medical buildings were nearby.

John mentioned that there are residential buildings nearby.

Dave mentioned that they were west of the project site and that they were townhouses.

John asked what percent coverage each of the 5 new buildings would be to see if they could achieve a 40% coverage without a variance.

Kelly said that eliminating one of the buildings they might achieve 40% coverage.

Russ asked what the different sized buildings were for?

Kelly mentioned that the larger one was for deeper units for people who might need more space and that the other 4 would be smaller.

Russ then asked if they would be all be one story.

Kelly said yes, they would be one story.

Paul mentioned that there was water on the property and if there were plans for that.

Kelly mentioned that their stormwater retention plan will be covered by the SWPP.

John asked if there was a motion to set a public hearing for the March meeting.

Russ made the motion, 2<sup>nd</sup> by Paul. Russ, Paul, Alan, and Shawn Ayes.

Motion was moved and public hearing is set for March 11, 2021.

**Leprechaun Ventures 436 Upper North Road. 80.3-1-29.100 Area Variance**

Applicant is seeking an Area Variance to construct a 2,400 sq. ft. warehouse. Applicant is seeking relief of 15 feet for a rear yard setback and relief of 11,108 feet for lot size.

Charles Wesley mentioned that the warehouse would be storage of construction materials. The property is in LI zone which calls for 1 acre but only has 0.7 acres. Not sure if they would need parking area as it would be only for trucks.

John asked what would the warehouse be used for?

Charles said that it would be storage for the owner only.

John then asked what kind of trucks?

Charles said that they would be straight trucks no longer than 40'. They could extend the parking area to neighboring property that the applicant owns and remove the garage.

John suggested that the parking be extended to the north to allow trucks to enter and leave better.

Russ asked how visible to neighboring houses would the warehouse be.

Charles said that the warehouse would be 1.5 stories high, but would have to figure out the exact height. He also mentioned screening shouldn't be a problem with the applicant if it is needed.

John asked if there was a motion to set a public hearing. Paul made the motion and Russ 2<sup>nd</sup>.

John, Paul, Russ, Alan and Jessica all Ayes. Motion carried to set public hearing March 11, 2021.

**Giammarco, Ronald 42 Perkinsville Road. 95.2-3-9 Area Variance**

Applicant is seeking a variance for a right sideyard relief of 3 feet 11 inches to construct a garage with an above living space.

Ronald Giammarco mentioned that he wants to add a 2-car garage with living space over it.

John asked why they want the garage this size and not smaller to be in compliance.

Ron said his daughter who wants to buy the house wanted a garage as there isn't one now. To move it would mean that the exit for the downstairs apartment would need to be moved to keep in code compliance. As for shrinking the size of the garage his daughter needs the extra space.

Paul asked if they could move the outside door of the apartment.

Ron said that it would be a hassle to do as it would be tough to rearrange everything in the apartment as its small (will supply sketches of apartment to show this).

Dave asked if the area above the garage would be a 3<sup>rd</sup> dwelling.

Ron said no that it would attach to the 2<sup>nd</sup> floor of the house and not free standing.

John asked if there was a motion to set a public hearing. Alan made the motion, 2<sup>nd</sup> by Russ.

Paul, John, Russ, Jessica all ayes. Motion carried to set public hearing for March 11, 2021.

**Felice, Joseph 6 Hillside Place 88.69-2-4 Area Variance**

Applicant is seeking a variance for right sideyard, front yard and coverage relief.

Stephen Thomson asked for the maps to be pulled up and explained what the applicant wanted.

John asked about the distances as the ones on the map were different than the ones on the application.

Stephen explained that he was rushing to get the application in and didn't update the numbers on the application.

John also mentioned that the set backs need to be measured from the deck not from the house. Applicant will update the application for the March 11, 2021 meeting.

## **Public Hearings**

Costantino, Raymond. 136 Bellevue Road. 88.1-3-24.114. Area Variance

Applicant desires a two-lot subdivision. Both lots would need relief as they lack the required lot width for lots in the zone. Proposed lot #1 relief requested 45 feet; proposed lot #2 relief requested 59 feet. Required lot width in R-2 zone is 150 feet.

John asked to see the maps of the flag lots vs the original subdivision map.

Paul after seeing the maps mentioned that the original was more conforming.

John asked if in both subdivisions if the driveways would be in the same location.

Patti said correct both driveways are existing and wouldn't change, but the original would be easier to take care of.

Paul asked what the area variance is for.

John said it is for lot width.

Russ asked if there were any other properties like this on Bellevue.

Patti said that there were other subdivisions south of this one, that are flag lots, but none are like this one.

Public Hearing opened:

Mark Reynolds asked what the relief needed was.

John said 49' and 50'

Paul Curran is concerned by this subdivision as he owns property nearby and is looking to build a house on it and doesn't want to see more subdivisions in the area.

John asked what the reason for the subdivision was.

Patti said that the idea to subdivide the property was there before she started to work on it. Most people wait to subdivide property until they are ready as to avoid paying extra taxes. Also, at the time the application was submitted the zoning didn't require road frontage, but now its required so a variance is now needed.

Shawn asked if road frontage would be an issue with the flag lot or not.

Patti said no, but the configuration of the lot was not as ideal. Either way there would be two houses on two lots.

Russ mentioned that he liked the flag lot proposal as the lower lot would be conforming, but the flag lot would be an issue.

John agrees that the lower lot would require little to no relief, but flag lot for building would be undesirable.

Alan mentioned that the flag lot could be an issue for emergency vehicles.

Russ asked were emergency vehicles thought about with the flag lot as there is no turn around shown.

Patti said that the original does account for them as turn arounds are shown for both lots.

John asked should public hearing be left open for next month?

Alan made the motion, 2<sup>nd</sup> by Russ, board agrees to leave the public hearing open.

Balance test was read.

Board agrees with points 1-4. On the last point was the difficulty self-created, Russ disagrees with Patti's response. He thinks that it was self-created as applicant chose to subdivide the property.

**Administrative:**

Minutes to approve:

December 12, 2020

Motion made to approve the minutes by Russ and 2<sup>nd</sup> by Alan. All ayes, minutes were approved.

January 14, 2021

Motion made to approve the minutes by Russ and 2<sup>nd</sup> by Alan. All ayes, minutes were approved.