

Town of Bristol
Zoning Board of Appeals
Minutes of August 8, 2017

Present: Marty Snyder, Jen Sanford, Donna Beretta, Steve Smiley and Sandra Riker
Excused: John Krebbeks

Others Present: Fran Morgante, Jessica Lyon, Todd Betz and Sarah Hamey

Minutes: The minutes of June 13th 2017 were not reviewed at this time.

Todd Betz Use Variance: Mr. Betz is requiring a Use Variance to open and operate a retail/mercantile shop in the accessory building on his property located at 4976 State Route 64 under tax map # 152.00-1-5.121.

OCPB input from July 12th is as follows: The applicant does not appear to have satisfied the four prongs of the text based on the answers provided to the questions by him. The Town Board is strongly encouraged to revisit and revise its zoning code as it pertains to home occupations. The home occupation section of code could accommodate the proposed type of business.

The Board explained that the Use Variance process does not leave room for variation with regard to satisfying all 4 prongs of the variance. Betz made the comment he was aware that a Use Variance might not work for his application. The Board went on to say the problem here is the size of accessory building with regard to how the zoning is written at present.

Public Hearing was opened by the Chairman. A comment was made by Fran Morgante that this evening there are 3 different types of home occupations represented by Jessica Lyon, Todd Betz and herself. All three reside in the A-C district of the town and are being blocked to do business based on the narrow criteria allowed for home based businesses. She hopes that the Town will find a way to open up their zoning to be more user friendly to a wider variety of home occupations. The ZBA Board members agreed and went on to say it is not their jurisdiction to start that type of activity, their position is merely interpretation. The directive must come from the Town Board to the Planning Board to initiate such an action. It was suggested that all three of the residents present this evening take their request to the next Town Board meeting and address that Board with a description of what their businesses entail and how they feel it would not only benefit themselves but the whole Town as well.

The public hearing was then closed. There was no further discussion among the Board.

A motion was made by Marty Snyder with a second by Steve Smiley that the ZBA will not grant a Use Variance for Mr. Betz to open and operate a retail/mercantile shop in the accessory structure on his property because all 4 prongs needed to grant a Use Variance were not met. All Board members present agreed.

No further business was discussed this evening.

A motion was made by Steve with a second by Marty to adjourn the meeting.

Respectfully submitted,

Sandra Riker Secretary to Town of Bristol ZBA Board

Minutes were accepted with minor change by Beretta with second by Sanford. All Board members agreed.