

Town of Bristol
Zoning Board of Appeals
March 15, 2022

Meeting Conducted as a hybrid meeting via Zoom and in person

Present: Marty Snyder, Steve Smiley, Donna Beretta, John Krebbeks, A. J. Magnan and Secretary Sandra Riker

Others Present via Zoom: Mary Ellen Eckert, Carlos Torres, Nathan Vander Wal, Bill Grove, and Karen Ellmore

Minutes of December 21, 2021 were reviewed by the Board and a motion by A. J. Magnan with a second by John Krebbeks to accept the minutes as written. All Board members agreed.

Minutes of February 15, 2022, were reviewed by the Board and a motion was made by Donna Beretta with a second by Steve Smiley to accept them with corrections that were made. A. J. Magnan abstained and all other Board members approved.

Area Variances for two parcels owned by Tom and Mary Ellen Eckert at 4963 Morrow Hill Road: The applicants are requesting two variances for the above parcel so it can be divided into two lots. The ZBA will be using the updated measurements of 03/07/2022 provided by BME Associates map reflecting measuring the frontage at the edge of the Right of Way.

1. A map showing the actual measurements at the front property line where it meets the R.O.W. was provided by BME Associates on 3/7/2022 reflecting the frontage at the edge of the Right of Way indicating 258.62' for the frontage of the original parcel, 178.62' for the frontage of Proposed Lot 1, 80.02 for the frontage of Proposed Lot 2. Proposed Lot 1 Variance 21.4' which is approximately a 11% variance and Lot 2 Variance remains at 60%.
2. The map will include showing the required 10' distance from the property line where Lot1 and Lot 2 come together.
3. The frontage for Lot 2 should be wide enough to accommodate for emergency vehicles and of stable construction.
4. The Code Officer requested to have 70' flag lot notation removed from the map provided.

They have provided an updated map showing the information requested. After further discussion the public hearing was closed.

SEQR: was reviewed for the whole parcel of 32.1 acres, all 11 questions of Part II Impact Assessment were answered with a no or small impact may occur resulting in a motion by Steve Smiley with a second by Donna Beretta to declare a Negative Declaration. All Board members agreed.

Area Variance approvals:

Marty Snyder made the Motion to grant an Area Variance to allow a frontage of 178.6' (feet) on proposed Lot 1, when 200' (feet) is required. This was seconded by Steve Smiley and all Board members agreed.

- 1.) No undesirable change will be made to the neighborhood. The variance is to allow for a lot division and will not be noticeable to the eye.
- 2.) Benefit cannot be achieved by any other method. A reduction in the frontage is necessary to allow access to both proposed lots.

- 3.) The requested variance is a reduction of 11.4' and *is not substantial*.
- 4.) The variance will not have an adverse effect on the physical or environmental condition of the neighborhood. Planning was done in tandem with the variance on proposed Lot 2, in order to allow for future driveway construction of that lot, while at the same time, protecting the steep slope into the adjacent creek.
- 5.) The difficulty was self-created, due to the applicant requesting the lot division.

Marty Snyder made a Motion to grant an Area Variance to allow a frontage of 80.2' (feet) on Proposed Lot 2, where 200' (feet) is required with a second by Steve Smiley and approved as follows:

- 1.) No undesirable change will be made to the neighborhood. The variance is to allow for a lot division and won't be noticeable to the eye.
- 2.) Benefit cannot be achieved by another method. A reduction of the frontage is necessary to allow access to both proposed lots.
- 3.) The requested variance is a reduction of 60% and *is substantial*.
- 4.) The variance will not have an adverse effect on the physical or environmental conditions of the neighborhood. This variance allows for future driveway construction on this lot, while at the same time, protecting the steep slope into the adjacent creek.
- 5.) The difficulty was self-created, due to the applicant requesting the lot division.

Other Business: none.

CEO Report: 5 new permits
12 inspections
6 completions

Motion made by A. J. to adjourn the meeting.

Respectfully submitted

Sandra Riker

Town of Bristol
Planning and Zoning Board Secretary

Approved with corrections completed on April 19, 2022 with a motion by Steve Smiley and seconded by John Krebbeks. All Board members agreed.