

TOWN OF MAYFIELD ZONING BOARD OF APPEALS MEETING

26 June 2024

MINUTES

PRESENT:

- ✓ PETER TAUTZNIK
- ✓ DANIEL SARDELLI
- ✓ LARRY CIOFFI
- ✓ RICHARD DIXON

- ✓ NORMAN BARBOSA, CODE ENFORCEMENT OFFICER

OTHERS PRESENT:

In order sheet sign in: Geoffrey C Demis, Christina Lowes, Timothy Hayes, Ira Van Nostrand, Marie Van Allen

AGENDA ITEMS:

1. 246 Maple Ridge – Public Hearing – Variance case for multiple Short-term rentals under the same address.
2. 246 Maple Ridge – Variance case for deck building encroaching on the setback line.
3. Hayes Subdivision – Variance case for a lot subdivision with a smaller than allowed frontage lot line.

I. CALL MEETING TO ORDER:

The meeting was called to order at 18:00 (6p.m.)

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the May 22, 2024, meeting.

MADE BY: PT
SECONDED: DS
VOTE: ALL

III. 246 MAPLE RIDGE - MRS. CHRISTINA LOWES' APPLICATION FOR MULTIPLE SHORT-TERM RENTALS ON THE SAME

a. Background:

Mrs. Christina Lowe's owns 246 Maple Ridge Gloversville, NY 12078 (Tax Parcel Map No. 137.1-1-9), which is approximately 12,000 +/- square feet in size. The applicant is seeking a variance for Local Law No. 2 of the year 2022, Amending The Zoning Law Of The Town Of Mayfield As Regards To Shor-Term Rentals And Repealing Local Law No. 2 Of The Year 2019 Pertaining To Such Rentals.

The applicant is seeking a variance specifically related to Subsection 509-3: General, Article V:

V. There shall be only one short-term rental permit issued per property. Thus, if a property has more than one dwelling unit the permit issued shall be limited for one dwelling unit only.

DISCUSSION:

See DISCUSSION note below.

b. 22 May 2024 meeting:

During the Zoning Board of Appeals meeting held on 22 May 2024, The Town of Mayfield Zoning Board scheduled a public hearing for the following meeting and requested from both the applicant and contractor for more details regarding the project, to be presented during the following meeting.

DISCUSSION:

Case reviewed and evidence brought before the Board: use variance form filled out and plenty of documentation attached, such as BILL OF SALE, CLOSING DISCLOSURE, RENTAL INCOME ESTIMATE, BALANCE SHEET, PROFIT + LOSS COMPARISSON, ZONING DISTRICT MAP, PROPERTY TAC BILL, AND PROPERTY CLASS.

ZBA prepared and attached the following document: USE VARIANCE FINDINGS & DECISION. The Board went through all the questions with the applicant, examining the evidence provided. A full copy of the folder and files is available and attached to the minutes of the meeting.

The public hearing was held, and no one voice any concern or opposition to the applicant's reques. The Board then voted and unanimously approved the variance.

c. Public Hearing:

The public hearing was opened at: 18:20 (6:20 p.m.)

Speakers: None

The public hearing was paused/closed at: 19:00 (7:00 p.m.)

IV. 246 MAPLE RIDGE - MRS. CHRISTINA LOWES' APPLICATION FOR MULTIPLE SHORT-TERM RENTALS ON THE SAME

a. Background:

Mrs. Christina Lowe's owns 246 Maple Ridge Gloversville, NY 12078 (Tax Parcel Map No. 137.1-1-9), which is approximately 12,000 +/- square feet in size. The applicant is seeking a variance for the Local Zoning Law of the Town of Mayfield, Article IV: Lot and Building Requirements, Section 401: Area & Height Requirements.

The applicant is seeking a variance specifically related to Subsection Article IV: Lot and Building Requirements, Section 401: Area & Height Requirements, Table 401: Bulk Requirements, Minimum side yard setback, bulk table requirements: Lake Area 1 – 15 feet, as described below:

DISCUSSION:

See DISCUSSION note below.

b. 22 May 2024 meeting:

During the Zoning Board of Appeals meeting held on 22 May 2024, The Town of Mayfield Zoning Board scheduled a public hearing for the following meeting and requested from both the applicant more details regarding the project, including letters from affected adjacent/neighbors properties, and a NYS Use Variance form to be filled out and presented during the following meeting. Per the ZBA's request, I have reached out to the Town of Mayfield Planning Board Chairman, Mr. John Kessler, to request his recommendation on the matter and

present it to the ZBA on the following meeting. I have also gathered other miscellaneous data on the Short-Term Rental properties within the Town to present to the Board for consideration while evaluating this case.

DISCUSSION:

The Board further evaluated plans and other evidence brought to the table by the applicant, including but not limited to the letter from neighbor's, indicating they didn't oppose the building of the deck past the typical encroachment line. The public hearing was held, and the subsequent vote culminated with the variance being given to the applicant.

Public Hearing:

The public hearing was opened at: 18:08 (6:08 p.m.)

Speakers: None

The public hearing was paused/closed at: 18:11 (6:11 p.m.)

II. HAYES LOT SUBDIVISION

- a. Mr. Timothy Hayes owns 608 Jackson Summit Rd West Mayfield, NY 12117 (Tax Parcel Map No 87.-2-62), which is approximately 13,64 +/- acres in size. The property is located within zoning district Residential 1. The applicant is seeking a variance for the Local Zoning Law (#2) of the Town of Mayfield (Year 2017), Section 401: Area & Height Requirements.

The applicant is seeking a variance specifically related to Article IV: Lot and Building Requirements, Section 401: Area & Height Requirements, Table 401: Bulk Requirements, Minimum Lot width in Feet *150 Feet all districts as described below:

Table 401: Bulk Requirements

Bulk Requirements	Residential-1	Residential-2	Agricultural-1	Agricultural-2	Mixed Use-1	Mixed Use-2	Commercial	Business	Lake Area -1	Lake Area-2	Resource Hub	Recreation	Public	NYS Wild Forrest
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Minimum Lot width in Feet *150 Feet all districts	*	*	*	*	*	*	*	*	*	*	*	*	*	NA
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***Excerpt from pg. 27, Town of Mayfield Zoning – Revised 2017**

DISCUSSION:

The applicant brought his request to the Board, and after being offered alternatives, he reassured his intention to move forward with the application and a hearing has been set for the next meeting, 24 July 2024 at 18:05 (6:05 p.m.) at 28 N School St Mayfield, NY 12117.

Other matters the Board brought up for consideration is the location of the septic chamber and leech field for the area, given there is a slab for a previous manufactured home near the site where the subdivision would be taking place.

The Board also advised the applicant that should the variance be approved, he would have to go before the Planning Board next in order to get the lot subdivided.

III. OTHER BUSINESS:

A. Code Enforcement Update:

N/A

B. Board Update:

Fifth member needed; request Code Officer reach out to the Town Board

C. Miscellaneous

N/A

IV. CLOSE OF THE MEETING:

MOTION: To close the meeting at 19:24 (7:24 p.m.)

MADE BY: Peter Tautznik

SECONDED: Larry Cioffi

VOTE: All