

TOWN OF MAYFIELD ZONING BOARD OF APPEALS MEETING

23 October 2024

MINUTES

BOARD MEMBERS PRESENT:

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

OTHERS PRESENT:

- ✓ NORMAN BARBOSA, CODE ENFORCEMENT OFFICER

In order sheet sign in:

Kim Leonard
William Leonard

AGENDA ITEMS:

1. 163 Gilbert Rd – Variance case for building closer than allowed 7ft (seven feet) setback.

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 July 7, 2024 meeting.

MADE BY: PT
SECONDED: LC
VOTE: ALL

III. 163 GILBERT RD SETBACK VARIANCE

- a. Mrs. Kim Leonard and Mr. Bill Leonard own 163 Gilbert Rd West Mayfield, NY 12117 (Tax Parcel Map No 74.6-2-13.5), which is approximately 0.2 +/- acres in size. The property is located within zoning district lake area 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 Side Yard Setback in Feet (*7 Feet) 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
Minimum Side Yard Setback in Feet	15	15	15	15	15	15	15	15	7	7	15	15	15	NA

***Excerpt from pg. 27, Town of Mayfield Zoning – Revised 2017**

DISCUSSION:

Applicants provided background and historical context to the board. They explained how the property contains an easement over onto the lot next-door, and during the addition, failed somehow to comply with the building setback for the new portion of the construction.

Questions were then raised about a survey for the property, which it did not have a survey done since 2008. Mr. Dixon asked if they knew the neighbors and asked about a private road association and/or private agreement(s). Mr. Sardelli then asked if they knew or had explored other solutions of alternatives, such as buying part of the lot, or the lot itself (which the applicants state they've tried).

The Board then evaluated the case and moved to have a public hearing during the next meeting, set for 25 November 2024.

Motion for public hearing: LC
Seconded by: PT
In favor: ALL

b. Public Hearing: N/A

The public hearing was opened at: N/A

Speakers: N/A

The public hearing was paused/closed at: N/A

IV. OTHER BUSINESS:

A. Code Enforcement Update:

- Fifth member of ZBA has been found.

B. Board Update:

- No updates

C. Miscellaneous

- No updates

V. CLOSE OF THE MEETING:

MOTION: To close the meeting at 18:40

MADE BY: LC
SECONDED: DS
VOTE: ALL