

## **Town of South Bristol Zoning Board of Appeals Meeting Minutes Wednesday, June 25, 2025**

**Present** Elizabeth Caprini  
Carol Dulski  
Barbara Howard

**Absent** Martin Gordon  
**Excused** Jason Fox  
Richard Riedman

**Guests** In-person: Jeremy Fields, Chuck Ryan, Scott Martin  
Zoom: Judy Voss

### **Call to Order**

The meeting of the Town of South Bristol Zoning Board of Appeals was called to order at 7:05 pm followed by the Pledge of Allegiance.

### **Meeting Minutes**

Deferred approval of March 26, 2025, April 23, 2025, May 28, 2025, Zoning Board of Appeals meeting minutes to the next meeting.

### **Rules of Order**

Carol Dulski read the Rules of Order.

### **New Business**

#### **Public Hearing**

##### Area Variance Application 2025-0004

County Planning Board Referral: Exempt  
Owners: Cartwright Farms LLC  
Representative: Jeremy Fields  
Property: 5687 Shore Drive  
Tax Map: 168.20-1-3.111  
Zoned: LR (Lake Residential)

Diane Graham: Do you want me to read the notice?

Chairperson Howard: Yes.

#### **Legal Notice of Public Hearing**

Please take notice that the Town of South Bristol Zoning Board of Appeals will hold a public hearing on the following application:

2025-0004 for property owned by Cartwright Farms LLC located at 5687 Shore Drive, tax map 168.20-1-3.111. The applicant/property owner is looking to relocate the existing two-story house and garage to the south end of property and requesting a 40-foot variance with a ten-foot front setback for the garage where

50 feet is allowed per town code and a 16% variance for a total lot coverage of 36% where 20% is allowed per town code.

Said hearing will take place on the 25th day of June 2025 beginning at 7:00 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

Application is located on the town website under important documents and notices / board meeting documents.

All interested parties may provide written comments, appear in person or by representatives.

Chairperson Howard: We are here to discuss Cartwright Farms requesting both a setback variance and lot coverage variance.

At this point I think we need to take attendance.

Roll call from board members with all present except for Jason Fox, Martin Gordon, and Richard Riedman.

In case we look a little thin tonight that is because we are back down to four regular members and two alternates. Jason Fox first alternate will immediately become a permanent member or voting member and Rich Riedman is going to be alternate number one and Jonathan Gage has decided to leave us. That is why we look a little slim tonight. We will miss his expertise.

I think at this point Jeremy please tell us what you want to do with it.

Jeremy Fields: Yes. Absolutely. Basically, what we are doing we have an active permit on the cottage to put a new foundation under it. Looking at it as we got started on the project and how it orientates with our new house, we decided that we would like to pick it up and take it away from the shoreline about 200 feet away from the shoreline. Normally I am in meetings to build these things right on the shoreline and 25 feet from the water. Our goal is to take that cottage and move it further away from the lake and make that whole area grass. Replace all that permeable including the driveway. There is a lot of driveway in there. One thing I want to share with you guys is when I bought this property. Chuck's company represented the sale for the person I bought it from. It was actually 75% lot coverage. By buying a piece of property from our other neighbor Glazer, I annexed it to this and we reduced it from 75% down to 40 some percent. We have already improved this once. Part of doing this is going to improve it again because if you looked at the calculations when we are done, we are actually reducing the lot coverage again. Even though we are here asking for a variance we are starting out at 42% and we are going to end up at 34.5%. How we are doing that is we are removing the porches, driveway, patio, steppingstones and those pavers. When we are doing this will be all grass. It will probably get better than that because I am leaving the minimum amount of driveway for the Bristol Harbour Water Department. They have their pumping station down there. I leaving enough for their service trucks for pump service and stuff like that. That is existing yes. We will remove as much driveway as possible. I am going to thin this up to what the minimum is because I do not want to look at the driveway. It is in front on my house now. We will reduce that as much as possible. All of that area will be grass too, next door. In essence we are going to reduce the size of the cottage by removing some of the porches, patios, and ancillary structures off to the side like the existing structure has a water pump house. It is on the west side of the house. It is in a dark color. If you look at where it gets moved those little bump outs off the cottage are gone. All the patios out front are gone. All the pavers for all the walkway are all gone. That is all getting removed. As far as the cottage goes, relocate and the same

with the garage. Move that over. I asking for that variance there. If you look at it. It is just because it is a caveat that happens to be the roadside. This is a private drive. It is really not a road. The way the regulations are written we call that a road. My front drive is Seneca Point Road which is hundreds of feet away, but I get stuck in that. That is why I need that variance because it happens to be that boundary is considered the roadside. Those are the two things we are looking to do. Literally pick up the garage move it over and the same thing with the house and reducing the square footage and that is how you get that reduction in lot coverage from what it is now to what it will be. Happy to answer any questions.

Elizabeth Caprini: The deck, porch, sunrooms all of that is going.

Jeremy Fields: Those will be rebuilt onto the new house, the deck and the porch, but everything outside of that in the dark black lines they will not go back on. You can see there are some arrows drawn patios and walkways to be removed. The beach front will not have any impermeable surface on there.

Elizabeth Caprini: The sunrooms that go northeast and southwest.

Jeremy Fields: That stays.

Elizabeth Caprini: Those are coming with it?

Jeremy Fields: Yes. That comes over. I will rebuild that. That is not moveable with the structure.

Elizabeth Caprini: That is kind of why I am asking.

Jeremy Fields: I take those off. I move the original 1856 cottage. I pick that up, move it and then put the porches back on.

Elizabeth Caprini: They were not part of the original.

Jeremy Fields: No. They were added on.

Chairperson Howard: Back by the fence you are talking about.

Jeremy Fields: That's correct. Yes.

Chairperson Howard: Why are you not building a new one?

Jeremy Fields: Because we like the cottage. It is so old and balloon framed. My kids did not want to tear it down.

Chairperson Howard: Now that you have a new house I assuming that you do not need the little house to live in so what are you going to do with it?

Jeremy Fields: It is for the kids. Yes. It is overflow. The kids currently use the cottage.

Chairperson Howard: The same thing with the garage?

Jeremy Fields: If I leave the stuff outside my neighbor will hate me more. Haha.

Chairperson Howard: Why not build a new one instead.

Jeremy Fields: The garage yes. I will reframe the garage. There is nothing complex about the garage.

Chairperson Howard: You are not trying to move a garage?

Jeremy Fields: No. It says relocated but I will reframe that.

Chairperson Howard: We did look at it and I thought why is he bothering.

Jeremy Fields: No. It is not worth it.

Chairperson Howard: The house I thought you had to have something inside of it sentimental.

Jeremy Fields: Yes. It does. That we are saving the cottage.

Chairperson Howard: Okay.

Elizabeth Caprini: Is there a basement?

Jeremy Fields: No.

Elizabeth Caprini: Not under either structure even across the ways?

Jeremy Fields: A crawl space but nothing that you want to crawl like army crawling under it.

Chairperson Howard: Any questions Carol?

Elizabeth Caprini: The driveway to the new location will spur off and go into your green space there below the wall.

Jeremy Fields: Yes.

Elizabeth Caprini: In the middle of the wall or whatever but it will spur off the existing?

Jeremy Fields: That is correct. Yes.

Chairperson Howard: Relative to where I think is your driveway in and out in front of the house that is going to go and the driveway is going to be further up the property?

Jeremy Fields: Only a slight bit. If you look at the drawing, I think it has a contour line 694 and it comes in front of the porch. It is just that little spot. The parking is on the west side where it says twelve-inch PVC. You can see there is a parking spot right alongside of the porch. See west of the porch. That is the parking spot just right in front of it.

Elizabeth Caprini: You mentioned something about making the road that goes across to the BHVA that will be a little smaller.

Jeremy Fields: A lot smaller. I think currently it is 20 feet wide. We will probably be down to twelve or ten.

Chairperson Howard: With the easement you mentioned you are going to change the easement. I am assuming you cannot just go and change the easement. Where are you in that process?

Jeremy Fields: There is no easement. It is a right of use. There is no deeded easement. In fact, even for Bristol Harbour itself it is emergency and service vehicles only. That is it. Specifically, not allowed to be an easement. It is written in the opposite. The language is way stronger. The only thing that can go in there is service vehicle and emergency vehicle.

Chairperson Howard: It looks like you are removing septic not the area itself but the pathway.

Jeremy Fields: Did you say septic.

Chairperson Howard: It not really septic but sewage. Maybe I misunderstood reading it that there was an area that was allowed that you were going to move instead of coming around this way you are coming around on to the bottom.

Jeremy Fields: Maybe it is just a line. The septic is actually on a whole other piece of property. It is on the Hubbard, Crofton property. We have an easement to the south that I bought. There is no septic on this property.

Chairperson Howard: Okay. The septic is on an easement.

Jeremy Fields: Yes.

Chairperson Howard: You are not changing pathway of that to the pump station?

Jeremy Fields: No. The forced main stays in the same location.

Chairperson Howard: Okay. We have visitation reports and SEQR status. It looks like all three of us have been down there.

Carol Dulski: I was there yesterday looking around and did not see anybody. I get why you want to do it to really open up that view. I did not understand moving that garage though.

Jeremy Fields: Good advice.

Chairperson Howard: Apparently, we do not think very highly of your garage. Sorry.

Jeremy Fields: It is not worth it.

Elizabeth Caprini: I was there a couple of times too. I do not know the guy's names that were working on the trees.

Jeremy Fields: Tom said he met you when he was planting the arborvitaes.

Elizabeth Caprini: Yes. The ones over at Indian Village. They look great. They said you have done this before. It is good to hear you have moved buildings and structures.

Jeremy Fields: Oh yes. Lots of them.

Elizabeth Caprini: That is what they said which gave me some piece of mind and explained the siting of it. I had a concern about how it goes over the access to the harbour. It sounds like that is what it is. It is good to hear.

Chairperson Howard: When was the last time they had to use that access road?

Jeremy Fields: The elevator got broke a couple of times and the fire company has come in twice last year I think. Not often. Chuck you were there that day. People got stuck in the elevator and the fire company comes in. Twice last year I think they got jammed up in it.

Elizabeth Caprini: I did not look real closely, and I am not sure on here are there any trees that are going to be involved or roots?

Jeremy Fields: No. The only thing that was there was arborvitaes which are all gone and replace with new ones already. They show on his drawing, but they are not there by the tennis court.

Elizabeth Caprini: Thank you.

Diane Graham: They are going to be there?

Jeremy Fields: No. It is all grass. Everything you see is all grass.

Diane Graham: That needs to be updated as well.

Jeremy Fields: Yes. He can make that note.

Diane Graham: He said it was there.

Jeremy Fields: It probably was when he did the drawing.

Elizabeth Caprini: Timing?

Jeremy Fields: I have to go to Planning Board. We are ready to go. We have the steel I-beams already there and are going to slide them under and crane it. It is going to be a very quick process. I think we have one more Planning Board meeting.

Chairperson Howard: You brought up the tennis courts.

Jeremy Fields: Yes.

Chairperson Howard: They did not appear to have been used as tennis courts in quite some time given that the vessels are on there.

Jeremy Fields: We used it last year. They do not play tennis. They play pickleball now. We are going to repave it and reline it as a pickleball court. It seems to be the sport now.

Chairperson Howard: Apparently. Yes.

Jeremy Fields: I do not play it. It seems to be the thing to play.

Chairperson Howard: So, no one thought of putting that back into green space.

Jeremy Fields: No. The tennis court I am going to leave as a full tennis court.

Diane Graham: Does pickleball have a backboard?

Jeremy Fields: No.

Diane Graham: No nighttime lighting?

Jeremy Fields: No. They changed the lines. I think they shortened the court.

Chairperson Howard: They shortened them.

Jeremy Fields: Yes.

Diane Graham: The reason I am saying that is the variance for the tennis court said no backboard or nighttime lighting.

Jeremy Fields: Oh, I did not know there was one on it.

Diane Graham: Yes. They probably shouldn't of but back then they did.

Chairperson Howard: I was also down. I have a question about the trees that came out of the boxes. Where were they going?

Jeremy Fields: They are kind of all over the place. We used them for a wedding venue. Some went to Indian Village a campground on the east side. Some are there on the property. I gave some of them away.

Chairperson Howard: I just noticed the arborvitae that was there isn't their kind of thing. We both noticed two or three out of the boxes and two or three still in the boxes.

Jeremy Fields: The arbs they planted. Some went to the castle. I planted all the maples, Japanese trees, all those are at the castle. We planted those. They kind of went different places.

Chairperson Howard: Okay. Any other questions for him? Okay. I am going to pass it over to the CEO.

Scott Martin: I have no questions.

Diane Graham: CEO explains rationale for refusal of permit.

Chairperson Howard: It is pretty well stated Scott, but we need you to read it into the minutes.

Scott Martin: He is looking for the variance for the front setback because it is only ten feet where 50 is required and like Jeremy said there is nothing there. I do not see where it would bother anybody. It is a small forest in sense. A bunch of stuff is growing up. The lot coverage he is reducing it so that is a good thing.

Chairperson Howard: The code enforcement office is on the second page. Do you want me to read it, Diane?

Scott Martin: Under meets town code area dimensional requirements I checked no. Existing lot coverage of 42.2% seeking to reduce by 6.2% to 36% where a maximum of 20% is allowed. Also, seeking a variance for 16% proposed garage setback of ten feet where a minimum of 50 feet is required seeking a variance of 40 feet. I do not see these as detrimental to the neighborhood actually better as it will upon up the land and the near shore area.

Diane had me looking into the floodplain questions a little bit and in regard to the proposed project that 5687 Shore Drive of moving a framed house and garage as far as floodplain are concerned it would appear that the existing locations of both are in the 100-year flood plain already. By moving them to the proposed new locations it would appear that the garage will be located outside of that floodplain and set at an elevation of 694 feet above sea level. The current flood zone elevation is 691 feet so it would be out of that zone. The framed house to be moved will be set in an elevation of 695 feet above sea level so that will also be outside of the flood zone. The OnCor map does show that a small portion of each may be affected by a 500-year event although that only has a 0.2% annual chance.

Chairperson Howard: Thank you, Scott.

Jeremy Fields: Thank you, Scott. That is helpful.

Chairperson Howard: We have some other testimony from different agencies.

Diane Graham: Do you want to do SEQR? You did your visitation.

Chairperson Howard: Other testimony.

Diane Graham: That is you guys.

Chairperson Howard: Where do we get to the letters?

Diane Graham: Go on. I am sorry.

Chairperson Howard: Any questions for the CEO? Okay. We have done the visitations. I think we need to get them in before the public hearing.

Diane Graham: Are you going through the documents?

Chairperson Howard: We need to them now or after the public hearing because the public hearing would come next after SEQR.

Diane Graham: I am on the wrong page. Sorry. Yes. Correct. You have to do the SEQR determination now.

Chairperson Howard: Let's do that and then we will do the other as we go through the rest of them. The SEQR was actually completed by the applicant and his representative. Going through that we have determined that it is a Type II under paragraph 617.5 (c)(11) and (c)(16).

Diane Graham: Eleven is for what?

Chairperson Howard: Eleven is for setback and sixteen is for area coverage.

Elizabeth Caprini: The coverage goes here. I think both of these are good.

Chairperson Howard: One of these is coverage and one of these is setback.

Elizabeth Caprini: I think coverage is seventeen. Could both apply eleven and sixteen to the setback? Is what we did before type II 11 and 16 for setback. I do not have them in front of me. Could it be 11 and 16 for the setback?

Diane Graham: I did not determine the SEQR. You are responsible for determining the SEQR and reviewing that.

Elizabeth Caprini: I think it is seventeen for coverage.

Chairperson Howard: I think you are right. It is eleven and sixteen for setbacks and seventeen for area lot coverage.

Diane Graham: I can get the book for you.

Chairperson Howard: Thank you. Temporary pause while we get the book. Unfortunately, our SEQR person is not here tonight.

Elizabeth Caprini: It should not be eleven. That is for new construction.

Chairperson Howard: Back from research. The SEQR determination is a Type II for the setback is 617.5 (c)(16) and the area coverage 617.5 (c)(17).

Diane Graham: Lot coverage is seventeen.

Chairperson Howard: Correct. Setback is sixteen and lot coverage is seventeen.

Diane Graham: Is everybody in agreement?

Board members: Yes.

Diane Graham: You will record that as part of your findings at the end.

Chairperson Howard: Yes. The project is a SEQR Type II with no further review based on 617.5 (c)(16) and 617.5 (c)(17). I am going to split them up when we do our conditions. The first one is for the lot coverage.

Elizabeth Caprini: Setback.

Chairperson Howard: Setback is sixteen. We will have to separate them when we do the conditions. Seventeen will be for the area coverage.

Diane Graham: Okay. Now we are on page two of our chart.

Chairperson Howard: Yes, we are.

Diane Graham: I would hope everyone reviews SEQR before coming to the meeting and then you can have that discussion, so it does not fall to one person.

Chairperson Howard: Apparently idea is not going to work. At this point we will record as one of our findings, finding number one. I am going to open the meeting to public hearing. Anyone who wishes to speak now or if there are any comments that have been sent into Diane. Now is the time.

Chuck Ryan: Chuck Ryan, 5689 Shore Drive just south of Jeremy's property. I had a minor question actually. A lot of my questions were answered. Jeremy was kind enough to show us these plans ahead of time. We met and discussed them. There is no driveway to the garage, is that right?

Jeremy Fields: It is on the driveway. You mean, where is the new location of the garage?

Chuck Ryan: The new location, is there a driveway leading into that?

Diane Graham: Do you mean a skirt?

Chuck Ryan: Yes. I could not tell from that.

Jeremy Fields: Nothing to be added. This is already gravel

Chuck Ryan: You will use the stone.

Jeremy Fields: That is correct. Yes. No paved driveway.

Chuck Ryan: Jeremy and I have been in some discussions, and we are not opposed to this. We have been talking in good faith. Jeremy has done some things that have helped with appearance of our mutual properties. We hope the good faith can continue. We hope the project when this is done and after Scott and Alan inspect it and go through the process that we can be free of some construction for a while so property can be cleaned up and maintained beautifully as if should in lake residential. There has been some conflict. We all know that, but we are not objecting to this on the premise that it will be good in the long run. Jeremy promised me when he built this garage that everything is going to be in the garage and not outside the garage. That is all. Thank you for your time.

Elizabeth Caprini: Thanks.

Jeremy Fields: Thanks Chuck.

Chairperson Howard: Diane, do we have anything from other sources?

Diane Graham: Do we have what I am sorry.

Chairperson Howard: Do we have any public comments, letters or email from anybody?

Diane Graham: No.

Chairperson Howard: I am going to close the public hearing then. At this point we want to talk about municipal officer's documentation. If you go to the agenda, there is a list of the things that are needed. There are things that we have looked at. The first thing is the proof of LLC manager and permission for representatives to act on applicant/owner behalf. We received an email earlier today giving permission to a representative although Jeremy is here tonight in their place. I think we are okay with that. There is an agricultural data statement with no active farming. Not an issue. The land surveyor site plan is 4/17/2025. I think we have looked at the site plan pretty well at this point. Everybody has had a chance to ask questions. Tyler Ohle from the watershed inspector has an as-built wastewater treatment system and letter it is acceptable as built.

Diane Graham: Can you read the date?

Chairperson Howard: Yes. A letter dated 4/29/2021. Archeological site determination letter 4/23/2025 with no impact. The Town Planning Board letter 6/24/2025 with requested items. We will address those when we get to the need because most of those are there. Floodplain determination from the CEO has already been ready into records. Those are the items that we have in terms of testimony if you will.

Taking a look at the things that we need. Did you file a new Shore Drive access easement with the recent changes to the drive for Chuck Ryan and Bristol Harbour Village?

Jeremy Fields: There is none. No.

Chairperson Howard: Just a gentlemen's agreement?

Jeremy Fields: It is for emergency vehicles only. That is, it.

Chairperson Howard: I do not believe we have an amended site plan with the requested changes for the Planning Board, but that is going to have to be the Planning Board's issue when he returns to them. A wastewater treatment system recorded easement there is none apparently. There is different access rights. It is written someplace Jeremy that emergency access agreement.

Jeremy Fields: It is in my deed or title. It is actually an agreement between two owners ago that they have to allow emergency and service vehicles.

Chairperson Howard: It is in writing someplace?

Jeremy Fields: Yes. Someplace.

Diane Graham: The Planning Board wanted a current assessment from the fire department that they can get all their trucks and vehicles into that area.

Jeremy Fields: Which they do.

Diane Graham: They have to do that in writing.

Jeremy Fields: Okay.

Diane Graham: That is the written approval.

Jeremy Fields: That is something they are asking for?

Diane Graham: Yes.

Jeremy Fields: They are asking Cheshire for it.

Diane Graham: They are asking you to get that from Cheshire.

Jeremy Fields: That is the first I heard of that. Okay. So Planning Board is looking for something from Cheshire?

Diane Graham: Yes.

Jeremy Fields: Ironically enough I just donated it to Cheshire Fire this week to do all their training. So, they will all be there.

Diane Graham: Oh good. Just tell them you need something in writing, but we need it tomorrow.

Jeremy Fields: Absolutely. Actually, just so you know Scott they are in their training next week the fire department.

Diane Graham: Can you get it by tomorrow?

Jeremy Fields: I will tell them to try.

Diane Graham: I have to plan for the public hearing for the next meeting.

Jeremy Fields: I will tell the chief to show up.

Diane Graham: No. Just tell him to do it in writing.

Chairperson Howard: These are the things that the Planning Board has requested to you before their next meeting which is next on 6/24.

Diane Graham: We didn't get the amended SEQR question from no to yes.

Chairperson Howard: Correct. The last thing that we need is an amended SEQR question 5. from no to yes which would be under other residential lakefront. Jeremy, please make sure it gets updated on the form that goes forward.

Jeremy Fields: Okay. Who is doing that part?

Diane Graham: Planning Board.

Jeremy Fields: I have to make sure Planning Board updates that.

Diane Graham: The application is updated. I thought Anthony was going to take care of all these according to the Planning Board meeting.

Jeremy Fields: Is that the email you forwarded yesterday. Okay.

Diane Graham: It was all said at the meeting and Anthony said no problem.

Jeremy Fields: So that is Anthony. I need to get a letter from Cheshire.

Diane Graham: Yes. The easement I do not know who has that.

Jeremy Fields: There is no easement.

Diane Graham: For the wastewater on somebody else's property.

Elizabeth Caprini: That is for the one over in the field. The septic.

Jeremy Fields: Oh.

Diane Graham: The recorded easement copy.

Jeremy Fields: Okay. Bill Grove maybe.

Diane Graham: It would have been between you and the property owner.

Jeremy Fields: It is on Bill Grove's map, is what I am saying. His map shows the easement.

Diane Graham: Right. Just a copy of that easement. We do not have access to that.

Chairperson Howard: Again, these things for clarification that the Planning Board has asked for and in some instances, we want make sure they are in place before we approve any variance.

Jeremy Fields: Gotcha.

Chairperson Howard: At least comfortable that they are going to be in place. Diane, do you have any correspondence from anybody else that we have not categorized correctly.

Diane Graham: Just the things you mentioned that have not been submitted.

Chairperson Howard: What we need to do now is to have a discussion on any questions that we have and determine our findings and conditions.

Diane Graham: ZBA discussion and debate.

Chairperson Howard: Do we have a debate or discussion? Okay.

Front Setback Variance Findings:

1. Elizabeth Caprini made a motion that the requested variance is covered by SEQR paragraph 617.5 (c)(16) as a Type II action requiring no further review. Carol Dulski seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

2. Elizabeth Caprini made a motion that an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties be created by granting the area variance. Barbara Howard seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

3. Carol Dulski made a motion that the benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

4. Elizabeth Caprini made a motion that the requested area variance is substantial. Carol Dulski seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

5. Barbara Howard made a motion that the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

6. Elizabeth Caprini made a motion that the alleged difficulty was not self-created. Carol Dulski seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

Elizabeth Caprini made a motion to approve the applicant's request for 40-foot variance with a 10-foot front setback. Carol Dulski seconded the motion.

Roll Call Vote:

Elizabeth Caprini – Aye  
Carol Dulski – Aye  
Barbara Howard – Aye

Motion carried.

Lot Coverage Variance Findings:

1. Barbara Howard made a motion that the requested variance is covered by SEQR paragraph 617.5 (c)(17) as a Type II action with no further review. Carol Dulski seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

2. Carol Dulski made a motion that an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties be created by granting the area variance. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

3. Barbara Howard made a motion that the benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance. Carol Dulski seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

4. Elizabeth Carpini made a motion that the requested area variance is not substantial. Barbara Howard seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

5. Carol Dulski made a motion that the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

6. Barbara Howard made a motion that the alleged difficulty was self-created. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard  
Nays 0

Motion carried.

Diane Graham: What conditions I see are what the Planning Board requested and the site plan addition that the arborvitae are no longer on the property per Jeremy Fields.

Conditions:

1. Barabara Howard made a motion that the condition such that all requirements are met by the Planning Board and the arborvitae in question is removed from the site plan. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 3, E. Caprini, C. Dulski, B. Howard

Nays 0

Motion carried.

Elizabeth Caprini made a motion to approve the applicant's request for a 16% variance for a total lot coverage of 36%. Carol Dulski seconded the motion.

Roll Call Vote:

Elizabeth Caprini – Aye

Carol Dulski – Aye

Barbara Howard – Aye

Motion carried.


Other

Chairperson Howard shared that Richard Riedman is going to be our first alternate. We are still looking for second alternate member.

**Motion to Adjourn**

Having no further business, Barbara Howard made a motion to adjourn the meeting. Elizabeth Caprini seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 8:05 pm.

Respectfully submitted,



Diane Scholtz Graham  
Board Assistant