

TOWN OF NEWSTEAD - ZONING BOARD MINUTES
Newstead Town Hall, 5 Clarence Ctr. Rd, Akron, NY
May 31, 2018

MEMBERS

PRESENT: Adam Burg (AB), acting Chairperson
John Klodzinski (JK)
Vicki Lombard, (VL)
Fred Pask (FP)

Alternate: Max Brady, Alternate (MB)

Other: Julie Brady, Recording Secretary

Absent: William Kaufman (WK)

APPROVED 9/27/2018

Meeting was called to order at 6:30pm, followed by the pledge to the flag and a moment of silence in memory of Nathan Neill, Town Attorney.

Adam B. reviewed the procedures. Julie B. read the legal notice for the variance request as follows:
Requesting a 25 foot area variance to construct a porch closer to the county road than the required 65 foot setback at 6883 Cedar St., owned by Steven Bedford.
Variance Town Code varied: Article IV. Chapter 450-29 A(2)
SBL# 33.00-3-6.12

Public hearing was open for comments at 6:35pm.

Steven Bedford, 6820 Cedar St., Akron – Owner of the property, stated that his intent is to give the property road appeal. There is currently a small 5x5 existing porch but he would like to extend it wider (apx. 8' wide) and across the entire front of the house wrapping around the north end to make it look better, like an "old farm style house".

John K. asked about the current porch location. Adam confirmed that the existing porch is non-conforming already. Vickie asked how far the house is set back. Steven replied that it is approximately 48' from the road. The new porch will be 8' wide to have room for chairs.

Adam asked 3 times if there were any other comments. Hearing none, the public hearing was closed. The board discussed that the new porch would actually be just 3' beyond the existing porch.

The Review sheet was completed as follows:

1. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than the area variance.
AB (N) JK (N) MB (N) VL (N) FP (N) Overall – (NO-PASS)
REASON: The home is an existing structure and cannot be moved back.
2. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
AB (N) JK (N) MB (N) VL (N) FP (N) Overall – (NO-PASS)
REASON: The porch will be an improvement and make it look better. Other homes on Cedar are as close to the road.
3. Whether the requested area variance is substantial.
AB (N) JK (N) MB (N) VL (Y) FP (N) Overall – (NO-PASS)
REASON: A 3' extension to an existing porch is not substantial. Other houses are as close to the road if not closer.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
AB (N) JK (N) MB (N) VL (N) FP (N) Overall – (NO-PASS)
REASON: There is no negative physical or environmental impact. Glad to see improvement of the property.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude granting of the area variance.
AB (N) JK (N) MB (N) VL (N) FP (N) Overall – (NO-PASS)
REASON: The applicant has to work with the existing structure being too close to the road.

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May 31, 2018

A motion was made by Max B. to approve the variance. Seconded by Vickie L. All Ayes, No Nays.

Variance request was approved unanimously.

Motion was made to accept the minutes of the March 22, 2018 meeting by Adam B., seconded by John K.
All Ayes, No nays.

A motion was made to close the meeting at 6:50pm by John K. seconded by Max B., All Ayes. No Nays

Meeting adjourned.

Respectfully submitted,
Julie Brady, Recording Clerk