

LIVINGSTON ZONING BOARD OF APPEALS

May 07 2019

The meeting opened at 7:00 p.m. with the Pledge of Allegiance.

Attendance:

Chairman Thomas Alvarez.

Vice Chairman Charles Schneider

Stan Yarian

Sarah Price

Zack Feuer

Attorney Ted. Hilscher

Absent: Charles Dickens

A motion to accept the April 04 2019 meeting as read was made by Zach Feuer 2nd by Stan Yarian. All present voted AYE.

Correspondence: NONE.

7:06 the public hearing for LT Farms LLC an Area Variance due to Table 3.3 Schedule of Bulk Regulations #2, exceeds the maximum height of 35 feet for an accessory building larger than 1500 square feet in the LDR Zone. Teddy McCarthy represented the Farm.

Comments from the public:

1. Fire Chief Jahns brought up some concerns that were issues for the Planning Board and not the ZBA.
2. Will this be a private use for family only? Yes.
3. Dave Kimball wondered why it was needed to be higher. It will look more appropriate with the extra 1 ½ feet to get the correct pitch.

No written correspondence was received concerning this application.
Public hearing closed at 7:06.

Zoning Book 11 ii Determining Granting a Variance

The following 5 questions were asked.

1. 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. Answer NO
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. Answer NO
3. Whether the request area variance is substantial. NO
4. Whether the proposed variance will have an adverse effect or impact in the physical or environmental conditions of the neighborhood or district. NO
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the granting of the area variance? YES

Attorney Ted Hilscher read the question for the SEQR to the Board. They answered 1-4 NO 5YES

A motion to declare a negative declaration was made by Zach Feuer and 2nd by Sarah Price. All present voted AYE. Motion passed.

A motion to approve the Area Variance Application for 1 ½ feet as presented was made by Zach Feuer and 2nd by Charles Schneider. All present voted AYE.

7:32 the public hearing for Thomas and Jennifer Bleau an Area Variance. They were denied a Building Permit for 390 Water Street Road due to the following: Table 4.2 #2 Schedule of Bulk Regulations, does not meet the setbacks for accessory structure in HDR-2 Zone is 10 feet for side setback. They will need a 2 foot variance.

No comments or written correspondence was received for this application
Public hearing closed at 7:35.

Zoning Book 11 ii Determining Granting a Variance

The following 5 questions were asked.

1. 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. Answer NO
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. Answer NO
3. Whether the request area variance is substantial. NO
4. Whether the proposed variance will have an adverse effect or impact in the physical or environmental conditions of the neighborhood or district. NO
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the granting of the area variance? NO

Attorney Ted Hilscher read the question for the SEQR to the Board. They answered NO to all.

A motion to declare a negative declaration was made by Zach Feuer and 2nd by Stan Yarian. All present voted AYE. Motion passed.

A motion to approve the Area Variance Application for 2 feet as presented was made by Charles Schneider and 2nd by Zack Feuer. All present voted AYE.

There being no further business a motion to close was made by Charles Schneider and 2nd by Zack Feuer. Meeting closed at 7:42.

Next scheduled meeting will be held June 04 2019.

Respectfully submitted

Sarah Price for

Eileen Yandik Secretary ZBA.