

**VILLAGE OF SCOTIA
ZONING BOARD OF APPEALS
MEETING MINUTES
OCTOBER 26, 2020
7:00 P.M.
Via Zoom/In-person**

Attendance In-Person: Jeffrey Parry, Susan Duchnycz, Charlena Ward (new member appointment), Thomas Gifford and Catherine Busher.

Attendance with Zoom: Keith Brown, Jackie Bekkering, Dan Dickinson, Zachary Calderon, Building Inspector Luis Aguero and Board Liaison Justin Cook

Absent: Village Attorney Lydia Marola

Voting members for tonight's meeting are Jeffrey Parry, Susan Duchnycz, Jackie Bekkering, Keith Brown.

MOTION: There was a July 8, 2019 meeting and Jeffrey Parry made a motion to accept the minutes of the meeting as submitted. Seconded by: Susan Duchnycz

AYES: Jeffrey Parry, Susan Duchnycz, Jackie Bekkering, Keith Brown

NAYS: None

MOTION CARRIED.

MOTION: There was a July 22, 2019 meeting and Jeffrey Parry made a motion to accept the minutes of the meeting as submitted. Seconded by: Susan Duchnycz

AYES: Susan Duchnycz, Jeffrey Parry, Jackie Bekkering, Keith Brown

NAYS: None

MOTION CARRIED.

**CASE #1: THOMAS & NANCY GIFFORD – 203 LINCOLN STREET - SCOTIA, NY 12302
(Section-Block-Lot 38.36-1-5)**

The applicants, Thomas & Nancy Gifford are requesting an area variance to build a garage on their property located at 203 Lincoln Street, Scotia, New York. This application requires an area variance because the requested garage does not comply with the Village of Scotia Code Section 250-16. A - Building regulations – Height limits. Accessory building height shall not exceed 15' in height. (Request is for a total of 3 feet). The request will make the proposed garage a total of 18'.

In a memo emailed to all the ZBA members, Luis Aguero indicated the following for clarification on the "front and side elevation shots" of the plot plan;

In regards to the height to the ridge line of the main roof;

- the plot plan indicates that the height is 11' to the eaves of the roof;
- then there is a 7' roof line which equals a total of 18' maximum height to the ridge line

This means the "cupola" on the top of the ridge line is for the purpose of ventilation and also natural lighting. It shall not be included in the overall height of the variance in question.

This variance request is 3' which is a total of 18' in height as per the elevation shots provided by the applicant.

The applicant, Thomas Gifford stated that the reason why he is requesting a variance for the construction of the garage is for storing, parking and upgrading. The garage will be a barn style garage and aesthetically pleasing to the surrounding neighborhood.

Zoning Board Chairman Jeffrey Parry asked if the second floor of the garage will be a habitable space and was told no it will not be habitable. It serves no purpose in habitable floor space square footage as per previously explained.

Jeannene Deyette of 205 Lincoln Street was in attendance and lives next door to the property. She has a shared driveway with 203 Lincoln Street and has some concerns. She stated that she would need access to her driveway during construction and after the structure is built. All their vehicles including her son's truck need to have access to the garage. It was stated by the Board that in the motion it would stipulate that all their vehicles would have access to their driveway and garage during the construction and in the future.

The applicant, Tom Gifford stated that the contractor will use the grassy area to store its supplies during the construction. The construction work should not impede on the Deyette's arrivals or departures from their driveway or property.

ZBA Member Jackie Bekkering stated that she surveyed 203 Lincoln Street and the survey she performed does not have any impact on the variance. Attorney Lydia Marola stated through a previous telephone call that Jackie did not have to recuse herself from voting but just had to disclose what she did.

There was a question about the total percentage of coverage for the proposed garage and if the square footage of the new garage would be over the percentage requirements. It was explained that the size of the proposed garage is not in question because it does not exceed the required percentage for this lot size. The garage is under the regulations of 40% lot coverage for the property's lot size.

The public hearing portion of the meeting closed at 7:20 p.m. and deliberations began.

Scotia Police Department and Scotia Fire Department did not have any concerns with this application. SEQRA is not required for this application.

Deliberations ended at 7:25 p.m.

After a short discussion, the following motion was made.

MOTION: Chairman Jeffrey Parry made a motion to accept the application for Thomas & Nancy Gifford to install a garage on their property located at 203 Lincoln Street, Scotia, NY 12302. The proposed garage will be comparable to other garages in the neighborhood and will not change the character of the neighborhood. It could be built smaller but for the applicant's purposes he is requesting the size as indicated on the plot plan. In addition, the size of the proposed garage is under the maximum of 40% of lot coverage and does not exceed the percentage of lot coverage applicable for this property. It will not have an adverse effect on the physical or environmental conditions of the neighborhood and will not create any further stormwater runoff (drainage) to the surrounding properties. It is self-created but this is not relevant and should not preclude the granting of the area variance. The proposed garage will be an improvement to the property. The Board stipulated that

the granting of this area variance shall not cause any impediment to the property owner at 205 Lincoln Street. The property owner at 205 Lincoln Street shall have access to her driveway and property at all times. The motion was seconded by Susan Duchnycz.

AYES: Jeffrey Parry, Susan Duchnycz, Keith Brown, Jackie Bekkering

NOES: NONE

MOTION GRANTED.

Training Status Report:

Current Training Hours:

Jeffrey Parry	2.5
Keith Brown	-3
Jackie Bekkering	2
Susan Duchnycz	8
Dan Dickinson	3.5
Zachary Calderon	1

MOTION: There was a motion to adjourn the meeting at 7:35 p.m.

MOTION: Keith Brown **SECONDED:** Jackie Bekkering

AYES: Jeffrey Parry, Susan Duchnycz, Keith Brown, Jackie Bekkering

NAYS: None

MOTION CARRIES.

Respectfully submitted, *Catherine Busher, Zoning Board of Appeals Clerk*

November 2, 2020 File Date