

**ZONING BOARD OF APPEALS MEETING
JUNE 27, 2022
PAGE 1**

The Town of Royalton Zoning Board of Appeals meeting was held on Monday, June 27, 2022, at the Royalton Town Hall, 5316 Royalton Center Road, Middleport, New York. The meeting was called to order at 7:00 PM by Chairman Phil Gow.

The following were present:

Chairman: Phil Gow

Board Members: Michael Stefanie, Greg Lindke, Lisa Budde, Richard Cavallaro

Absent: Gregory Zakrzewski

Other Officials: Mike Hartman, Code Enforcement, Tom Brandt, Town Attorney

Other Attendees: Elizabeth Copella, Antonia & Leroy Marimon, Douglas & Kelly Griffith, Sandy Torriere, Jeff & Christian Lasal

There are two (2) Public Hearings on the agenda this evening and four (4) TCUP renewals.

AREA VARIANCE-SANDY TORRIERE-8437 ROOSEVELT DR., GASPORT, NY 14067

Chairman Phil Gow opened the Public Hearing to consider the application for an Area Variance to construct a 12-foot by 16-foot shed with west side and rear setback of 10 feet whereas the Code requires 25 feet.

Sandy Torriere was present. He explained that if he went 25 feet it would put the shed by his back porch. His diagram shows that. The Board looks at the diagram.

There is no public comment and no correspondence for or against the project.

Richard Cavallaro asked if the drawing is representative of the placement of the house dead center on the property.

Sandy said yes. Originally it was going to face Forest Rd but the house is too long and he asked if he could change his address to Roosevelt Drive. The house is 76 feet long. There is only about 45 feet behind the house.

Phil Gow asked what the current size of a building is allowed to be without a permit. Mike Hartman stated it is 144 square feet, but it would still need to meet the setbacks.

Phil Gow closes the public comment.

ZONING BOARD OF APPEALS MEETING

JUNE 27, 2022

PAGE 2

The Zoning Board members review the SEQRA form. Phil Gow entertains a motion for a negative declaration. Greg Lindke makes a motion for a negative declaration, seconded by Michael Stefanie. There are no adverse significant environmental impacts. All are in favor. Motion carries.

AREA VARIANCE-SANDY TORRIERE

On a motion made by Michael Stefanie, seconded by Lisa Budde, the following was

ADOPTED	AYES-5	P. Gow, L. Budde, G. Lindke, M. Stefanie, R. Cavallaro
	NAYS-0	MOTION CARRIED

Resolved to authorize construction of a 12-foot by 16-foot shed with west side and rear setback of 10 feet.

AREA VARIANCE-DOUGLAS AND KELLY GRIFFITH-9788 CHESTNUT RIDGE RD., MIDDLEPORT, NY 14105

Chairman Phil Gow opened the Public Hearing to consider the application to construct a detached 24-foot by 48-foot pole barn with attached tool shed with setbacks of 25 feet from the right-of-way whereas the Code requires 50 feet from the right-of-way.

Douglas Griffith was present and explained that he would like to construct a 2 ½ car garage with a storage unit and equipment area.

There was no public comment and no correspondence for or against the project.

Mike Hartman explained that the reason he can't go back any further is that it would be sitting on the septic system and the building needs to be 10 feet from the septic system.

Michael Stefanie doesn't have a problem with the placement of the garage but is concerned about the storage unit. He asked if it could be put at the end of the new garage or on the other side of the driveway.

Douglas explains that the other side of the driveway is going to be the house. The building is going to be near the house and parallel to the road. It will be 48 feet out and 24 feet back from the front of the house.

The Board members look at the diagram and discussion ensues.

Phil asked if according to the diagram it would be next to the pine trees as far as to the shed itself.

Douglas shows the part that will stick out.

Tom Brandt states that the Board must look at it as one structure. The difficulty is the placement of the septic system.

**ZONING BOARD OF APPEALS MEETING
JUNE 27, 2022
PAGE 3**

Rick Cavallaro is confused as to where the driveway is. Douglas shows him on the diagram where his driveway is and where the building will be.

Phil Gow asks if there will be an additional widening of the driveway.

Douglas explains that there will be widening and will fit in where the L-shape is. That is where the 2 1/2 car garage part is.

Phil Gow asks if the driveway will be widened from it's current state all the way over to the northwest. The answer is yes. They have an estimate from the town for the culvert pipe.

With no further questions from the board, Phil Gow closes the public comment.

The Zoning Board members review the SEQRA form. Phil Gow entertains a motion for a negative declaration. Michael Stefanie makes a motion for a negative declaration, seconded by Greg Lindke. All are in favor. Motion carries.

AREA VARIANCE-DOUGLAS AND KELLY GRIFFITH

On a motion made by Michael Stefanie, seconded by Lisa Budde, the following was

ADOPTED	AYES-5	P. Gow, L. Budde, M. Stefanie, G. Lindke, R. Cavallaro
	NAYS-0	MOTION CARRIED

Resolved to authorize construction of a detached 24-foot by 48-foot pole barn with attached tool shed with setbacks of 25 feet from the road right-of-way.

Chairman Phil Gow closes the Public Hearing and opens the regular monthly Zoning Board meeting.

Phill Gow entertains a motion to approve last month's meeting minutes. Greg Lindke makes a motion to approve last month's meeting minutes, seconded by Lisa Budde. All are in favor. Motion carries.

Correspondence: None

Old Business: None

New Business: TCUP renewals.

There is no public comment for or against the TCUP renewal for Toni Marimon. Lisa Budde asks if there have been any events held there. Toni explained that she is still working on the barn. The Air B&B has been open for the last year. Mike Hartman stated that he has not received any complaints. Lisa Budde makes a motion to approve the TCUP renewal for another year, seconded by Greg Lindke. All are in favor. Motion carries.

ZONING BOARD OF APPEALS MEETING

JUNE 27, 2022

PAGE 4

There is no public comment for or against the TCUP renewal for Mike Murphy. Mike Murphy was unable to attend the meeting. Mike Hartman explains that he started out on Chestnut Ridge Road and this past year moved over to Haseley Rd. He was over at his place 2 months ago to put the final C.O. on his garage. Phil asks if he is compliant with the conditions of his TCUP. Mike Hartman answers yes. There has not been any complaints this past year. Michael Stefanie makes a motion to extend the TCUP for another year, seconded by Lisa Budde. All are in favor. Motion carries.

There is no public comment for or against the TCUP renewal for Jeff Lasal. His son will be buying more equipment. He has an insurance company that will give him liability insurance. Lisa Budde asked if he was getting more business from restaurants. The answer is yes and he has been getting business from weddings and special events. Lisa Budde makes a motion to renew the TCUP for another year, seconded by Greg Lindke. All are in favor. Motion carries.

There is no public comment for or against the TCUP renewal for Elizabeth Copella. Lisa Budde asks how her business is going. Elizabeth says it has been great. Greg Lindke makes a motion to approve the TCUP renewal for another year, seconded by Michael Stefanie. All are in favor. Motion carries.

Good to the Order: Phil Gow is interested in looking at the minutes from the June Planning Board meeting. He missed the meeting. He would like to look at the proposed amendments.

Chairman Phil Gow entertains a motion to adjourn. Lisa Budde makes a motion to adjourn the meeting, seconded by Greg Lindke. All are in favor.

Chairman Phil Gow closes the meeting at 7:45 PM.

Respectfully submitted,
Jennifer Donner, Zoning Board Clerk