

Present at Meeting:

Cheryl Erickson, Chair
Jim Dewar Vice-Chair
Rich Nawrot
Ross Schoembs
Troy Scripture
Larry Bell

Also Present: Town Attorney Brian Reichenback, Zoning Administrator Craig Leggett, Scott Olson, Bob Olson, Mike Prisco, Christine Hayes, Angie Meade and Joeseeph Metzger.

Pledge

Review of Minutes: Ross Schoembs made a motion to approve the March 26, 2024, minutes as written. Second by Rich Nawrot. **ALL AYES.**

NEW BUSINESS:

File: 2024-02 AV
Tax Map #: 55.12-2-2
Mike and Annika Prisco
7626 State Route 8
Brant Lake, NY 12815

Requesting a Variances from **Section 6.10** for a Shoreline variance of 42' and a Roadway variance of 31' 1" in order to build a 19 x 16 square foot enclosed porch on the top of the existing 24 x 16 square foot concrete block storage shed that will sit 28' 11" from the center line of the road and 8' from the shoreline.

Chair Cheryl Erickson wanted to make sure that Mike Prisco is aware that the previous variance from 1978 that runs with the land. She then read the previous variance request from 1978 into the record. Dear Keith: Variance Request #002 has been approved by the Zoning Board of Appeals with the following conditions: 1) No running water or plumbing fixtures of any kind are ever to be installed in the building. 2) The structure is to be shielded from sight from Route 8 by a planting of shrubs. 3) That no future additions be permitted which would exceed the planned elevation as shown in the request. A copy of the original Building permit is enclosed. Very truly yours, Leo C. Williams, Zoning Board of Appeals. As we know a variance like this runs with the land and we cannot take away from it, we can add to it. We will have the Public Hearing and we will listen to your case but these variance conditions are in place.

Mike Prisco responded that he is aware of the 1978 variance approval with those conditions.

Attorney Brian Reichenbach clarified for the Board members as well as the applicant stating the variance granted in 1978 runs with the land. Those conditions are still a condition of the use of the land. This Board cannot reduce your ability to use the land and they cannot make it more constrictive than what was approved in 1978. The Board can expand your ability to use the land but cannot constrict it more and cannot take away the variance granted in 1978.

Rich Nawrot asked if he could allow the applicant to build on top of the storage shed.

Chair Cheryl Erickson stated they just can't build on it.

Attorney Brian Reichenbach stated you could allow them to build on top of the structure.

Joe Metzger asked would that require a variance to do that. Do we have to formally request that? Did we do that with this application drawing presented tonight?

Attorney Brian Reichenbach stated is this your drawing. I think you did. So, this would be construction on top of the concrete.

Joe Metzger responded yes to all the questions.

Chair Cheryl Erickson stated that if things have changed, we could allow them relief from those conditions.

Attorney Brian Reichenbach stated yes, that is correct.

Chair Cheryl Erickson asked the applicant to come up to give an overview of his project because one of the Board members was not present at last month's meeting.

Mike Prisco stated that new plans were submitted. We lowered it. We want it for daily use as there is no home on the property. We want to screen it in and get out of the elements. It will only be for day use to get out of the elements and enjoy the land. Things have changed since 1978. It is set back in the cove and not on the point. It is currently an eyesore and needs updating. Plan to stone the bottom portion of it. There will be plantings to shield it from the road. It is a totally different land now from when the variance in 1978 was granted. It will be an update and visually an improvement.

Rich Nawrot went to see the site and stated that he did not see any shielding from Route 8 with any trees, shrubs or vegetation.

Mike Prisco responded that he just purchased the property and it will be updated if the variance is granted. He will not be prohibiting anyone's view because he owns the property across the road. The neighbors are in support and two neighbors sent letters to the Board supporting his plan.

Rich Nawrot stated he sees that Mike Prisco changed the height from 14' 8" to 13' 6". Are there any other changes.

Mike Prisco responded they made the building 2' smaller inside and extended the roof over the deck due to the way the sun hits it.

Chair Cheryl Erickson asked if there is any water going into the building right now.

Mike Prisco stated there is a pump there in the building for the sprinkler system. No drinking water.

Chair Cheryl Erickson asked if it comes out of the lake,

Mike Prisco responded yes. It's been 40 years, so I don't know. There is a pump in the building. There is another one there on the other side and I'm not sure what that one is.

Troy Scripture stated there is a pipe on both sides. .one is galvanized, and one is plastic that comes into the building.

Mike Prisco stated that is for the sprinkler system and goes across the street to the tennis courts.

Troy Scripture responded that it is in violation of the 1978 variance that stated there is to be no running water or plumbing fixtures of any kind are ever to be installed in the building.

Chair Cheryl Erickson stated it should not be any water going into the building.

Vice- Chair Jim Dewar stated you do not need a sprinkler system there.

Mike Prisco stated well to wash a boat down and keep things clean so I would like to have a water system.

Troy Scripture stated you do not wash a boat down there because it will run into the lake and being so close to the lake the new roof will cause more runoff into the lake. With the new roof it will cause more storm water to run off into the lake.

Chair Cheryl Erickson asked if he has 3 aces including the tennis courts and flat area.

Rich Nawrot asked if there is water running into the building. There is a valve on the outside of the shed building.

Mike Prisco stated in the shed there is a pump that is for the sprinkler system.

Angie Mead stated it was for a water fountain for the tennis courts across the road back in the day.

Chair Cheryl Erickson stated it is a new valve and it was not from back in the day.

Ross Schoembs stated he saw two freshly cut trees. Are those the ones you talked about last time?

Mike Prisco stated yes, and I have one more to cut down.

Chair Cheryl Erickson asked the applicant why he does not build a house on the other side of the road.

Mike Prisco stated that is the plan when he retires. He has lived on Delaney Drive for 8 years that he loves right now and in the future the plan is to build the new house across the road from this property.

Joe Metzger stated the original structure was going to be timber frame but now it will be a conventional 2 x 4 framing.

Vice-Chair Jim Dewar asked if there will be any insulation in the screened porch.

Joe Metzger stated he will put insulation in because it is so close to the road.

Troy Scripture stated this new plan comes 4' closer to the road with the stairs.

Joe Metzger stated the grade is almost at the top of the deck there. I was going to put in a platform out front towards the road, but we could cut that back.

Chair Cheryl Erickson stated well that changes the variance that you requested. These plans no longer align with the variance.

Board members all agreed that this changes the variance that is requested and the applicant will need a new plan in line with the variance requested indicating all of the setbacks and measurements shown on the plans.

Troy Scripture is concerned with the storm water runoff from the new roof and therefore a stormwater plan is needed to be included with the variance request.

Angie Mead spoke in favor of this application and stated she did not think it would change the character of the neighborhood because it is consistent with what is in the neighborhood. It will get the Prisco family out of the elements including his wife who is a melanoma survivor.

Chair Cheryl Erickson stated that we will table this Public Hearing and keep it open now and next month on May 21, 2024, we will need the additional materials requested.

Being no further questions or comments Vice Chair Jim Dewar made a motion to adjourn the meeting. Second by Rich Nawrot. **ALL AYES.**

Reminders: None

Correspondence: None

Public Comments: None

Board Comments: Troy Scripture would like to extend a thank you to the Town Board for the training they offered us.

Being no further questions or comments Vice Chair Jim Dewar made a motion to adjourn the meeting. Second by Rich Nawrot. **ALL AYES.**

Adjourn: 7:41 PM

Next meeting date: May 21, 2024

Respectfully Submitted,
Terri Katsch, Secretary