

**MINUTES OF THE REGULAR MEETING
ZONING BOARD OF APPEALS
TOWN OF NEW HARTFORD MUNICIPAL BUILDING
OCTOBER 21, 2019**

The Regular Meeting was called to order at approximately 6:00 P.M. by Chairman Randy Bogar. Board Members present were John Montrose, Taras Tesak, Byron Elias, Lenora Murad, Karen Stanislaus, and Fred Kiehm. Also in attendance were Councilmen David Reynolds and Richard Lenart; Town Attorney Herbert Cully; and Secretary Dory Shaw. Everyone in attendance recited the Pledge of Allegiance. Chairman Bogar introduced the Board Members and explained the procedures for tonight's meeting.

The application of **Ms. Kimberly Cordeiro, 1 Harrogate Road, New Hartford, New York**. The applicant is proposing a 16' x 16' addition to her home. The proposed addition will extend into the required front yard setback and the applicant is seeking a 10'± front yard setback Area Variance. Also, the proposed addition will extend into the side yard setback and the applicant is seeking a 4'± side yard setback Area Variance. Tax Map #339.011-3-4; Lot Size: 180' x 142'; Zoning: High Density Residential (HDR). Ms. Kimberly Cordeiro and Mr. Jeff Dunn appeared before the Board.

Mr. Dunn is the contractor for this project. Mr. explained that this addition cannot be placed in any other area of the property. Because of the shape of the lot and grade, this is the most cost effective concept. They will use the same type siding and roofing. He spoke with the neighbors and they have no objection. Grading will keep water away from the adjacent properties. There are no plans to make this a two-family home – just an addition to this property.

Chairman Bogar asked if there was anyone present to address this application:

-Mr. & Mrs. Michael Brady, 3 Harrogate Road, New Hartford. His only concern about water flow was addressed. He feels this will increase the value of the neighborhood. He supports the application.

-Mr. Kimberly Cordeiro explained why she needs the extra living space.

There being no further comments, the Public hearing closed at approximately 6:10 P.M.

At this time, the Board Members reviewed the criteria for an Area Variance:

- An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance – response; no, all in agreement;
- The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance – response; no, all in agreement;
- The requested variance is substantial – response: no, all in agreement;

- The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – response: no, all in agreement;
- The alleged difficulty was self-created, which consideration shall be relevant to the decision, but shall not necessarily preclude granting the variance – response: no, all in agreement.

Motion was made by Board Member Byron Elias to grant this application as submitted; seconded by Board Member Taras Tesak; and that a Building Permit be obtained within one year of approval date.
Vote taken:

Chairman Randy Bogar - yes
Board Member John Montrose – yes
Board Member Byron Elias – yes
Board Member Lenora Murad - yes

Board Member Fred Kiehm - yes
Board Member Taras Tesak - yes
Board Member Karen Stanislaus - yes

Motion was **approved** by a vote of 7 – 0.

Draft minutes of the September 16, 2019 Zoning Board of Appeals meeting were approved by motion of Board Member Fred Kiehm; seconded by Board Member Karen Stanislaus. All in favor.

There being no further business, the meeting adjourned at approximately 6:20 P.M.

Respectfully submitted,

Dolores Shaw, Secretary
Zoning Board of Appeals

dbS