



Town of South Bristol
6500 West Gannett Hill Road
Naples, NY 14512-9216
585.374.6341

Zoning Board of Appeals Meeting Agenda

Wednesday, March 26, 2025

7:00 pm

Meeting in-person or by joining Zoom

<https://us02web.zoom.us/j/82832740172?pwd=rHathcXSb5tpl4vEX3ggO0aBe1lv5q.1>

Meeting ID 828 3274 0172, Passcode 266513

Call to Order

Pledge of Allegiance

Minutes

Approval of October 23, 2024, Zoning Board of Appeals Meeting Minutes

Rules of Order

New Business

Area Variance Application 2025-0001

OCPB Referral: -2025

Owners: William P. Vitek and Laurel S. Raines

Representative: Mark Schlegel

Property: 6957 Granger Point Drive

Tax Map #: 191.17-1-7.000

Zoned: LR (Lake Residential)

Other

Motion to Adjourn

Town of South Bristol Zoning Board of Appeals Meeting Minutes Wednesday, March 26, 2025

Present Elizabeth Caprini
Carol Dulski (Zoom)
Jason Fox
Jonathan Gage
Barbara Howard

Absent Martin Gordon

Guests In-Person: Mark Schlegel
Zoom: William Vitek, Laurel Raines, Nick

Call to Order

The meeting of the Town of South Bristol Zoning Board of Appeals was called to order at 7:00 pm followed by the Pledge of Allegiance.

Chairperson Howard introduced the new board member Elizabeth Caprini and the first alternate Jason Fox.

There was a roll call of board members with all present except for Martin Gordon.

Meeting Minutes

Jonathan Gage made a motion to approve, October 23, 2024, meeting minutes as written. Carol Dulski seconded the motion. The motion was unanimously adopted by all board members present.

Rules of Order

Elizabeth Caprini read the Rules of Order.

Chairperson Howard: We have a new site plan and response received from Kevin Olvany this afternoon. It was in our packets late today.

New Business

Public Hearing

Area Variance Application 2025-0001

OCPB Referral: 51.0-51.1-2025

Owners: William P. Vitek and Laurel S. Raines

Representative: Mark Schlegel

Property: 6957 Granger Point Drive

Tax Map #: 191.17-1-7.000

Zoned: LR (Lake Residential)

Diane Graham:

Legal Notice of Public Hearing

Please take notice that the Town of South Bristol Zoning Board of Appeals will hold a public hearing with the following application:

2025-0001 for property owned by William P. Vitek and Laurel S. Raines located at 6957 Granger Point Drive, tax map #191.17-1-7.000. The applicant and property owners are looking for a 6.9-foot variance with a 43.10-foot front setback where 50 feet is allowed per town code and a 2.3% variance with a 31.28% total lot coverage where 20% is allowed per town code to add a 241-square foot single-story master bedroom addition to the main house with 64 square foot deck and steps.

Said hearing will take place on the 26th day of March 2025 beginning at 7:00 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

All interested parties may provide written comments, appear in person or by representatives.

Chairperson Howard: I suggest we split this into two different components and address the setback variance request prior to talking about the variance. At this point we may not need a variance for the lot coverage. We think we have developed a way to take care of that issue without having a variance. I am going to let Mark who is representing the homeowners, tells us a little bit about what they want to do and then any questions we have he will help us answer.

William Vitek: This is Bill Vitek and my wife, Laurel Raines are the homeowners. Mark is our representative there and our contractor. Okay if we make some opening comments?

Diane Graham: Do you want to make them before or after Mark?

William Vitek: I would like to make them before if that is possible.

Diane Graham: Okay. Yes.

William Vitek: Alright. Thank you. I did want to point out that first my wife and I are both landscape architects. We know a lot about planning commissions and zoning boards and city council hearing and many times that can be a thankless job. Thank you for your service in the time and energy put into these important community matters. We are very familiar with planning and zoning issues. Being landscape architects we are very familiar with lot coverages and natural systems. I appreciate your vision statement about being stewards of the land and the water. Also, being responsible neighbors and members of the overall community. I think we have a thorough understanding of what you face when you have these applicants in front of you. Again, I appreciate your service and time in taking these matters seriously. Also, I want to point out that my wife's family has a long connection to Bristol and Canandaigua Lake. Several of you just mentioned where you live in the nearby environs there. Don and Skippy Raines who originally owned the cottage right off Hawks Road that was right on the lake. I cannot remember what year they bought that. The only cottage there was always a family gathering spot and then when Don retired from his medical practice in Rochester, they built a permanent home which is only three doors down from where this house is located that we purchased from Laurel's brother, Don and Skippy's son last year. They have a very long history and connection to Canandaigua Lake and to be responsible stewards and citizens of the lake. Don and Skippy were active and founding members of Bristol Valley

Playhouse or theatre. Very involved the Finger Lakes Land Trust. I believe they donated and built the frisbee golf course there at the town hall in the little park/playground there. We have a very deep and long connection to the lake and Bristol in particular. Certainly, our intent with this small addition is to preserve the character and the style of the existing house that is there. We bought the house from Laurel's brother as opposed to him putting it on the market because he wanted to preserve the character of the site and the house. As we are getting older in our ages, we are looking for less stairs to go up and down. I certainly think our intent is to be a good neighbor and to be very much in keeping this property in the family even after we go. Preserve the quality and the character of the site and the houses around them themselves. I am sure are very well aware of some of the old houses that have been knocked down and new mansions that have been built up and down the lake. I will let you draw your own opinions on that. That is certainly not our intention and one of the big reasons why we bought the house was to preserve the character. I appreciate you allowing me to set that context a little bit here. Laurel, I do not know if you want to add. We have been working with Mark on these plans. We got a survey and a Google map diagram that I can share with you if need be as we get into this a little bit further. Again, as landscape architects we deal with these kinds of issues all the time. We look forward to our discussion with you here. Mark, I will let you take it away unless any members of the board have any questions for Laurel or I?

Chairperson Howard: It looks like not at the moment.

William Vitek: Okay. Thank you.

Diane Graham: I shared that Google map photo with the Board.

William Vitek: Okay. Thank you, Diane.

Laurel Raines: Thank you.

Mark Schlegel: This project is a master bedroom addition. One story floor to be level with the existing house. Siding windows to match the existing décor. That is the basic description of it.

Chairperson Howard: Why don't you tell us why you are here then.

Mark Schlegel: Good point. The addition is proposed to be within the front setback which is 50 feet. What we are looking for is almost a seven-foot variance so that the corner of the building would be at 43.1 foot. The addition is placed on the map due to maintaining a cool stone fireplace that we did not want to disturb and existing house windows. We are looking for the variance for that setback. We would like to get a variance for lot coverage but we have an alternative on that.

Chairperson Howard: Any questions from the Board?

Elizabeth Caprini: Snow stakes that are there are they approximately where the corners would be?

Mark Schlegel: They are. Yes.

Elizabeth Caprini: The north corners.

Mark Schlegel: Yes.

Elizabeth Caprini: In reference to parking and staging of materials. It is so tight even up by where the neighbors pull into their areas. Could we address that a little bit?

Mark Schlegel: That carport is big enough to get full size vehicles through.

Elizabeth Caprini: They drive through?

Mark Schlegel: Yes. I have had my dump trailer through there. It is a tight fit, but it fits. Construction materials can be dropped in the driveway and immediately brought over to the lake side as to not be in anybody else's way. We have parking there for three pickup trucks or whatever the guys are driving.

Elizabeth Caprini: In that driveway?

Mark Schlegel: Yes. That trailer of mine is almost two car lengths long.

Elizabeth Caprini: I could not park there the other day. I have been down there three times. The day your trailer and truck were there because I would block the other neighbor's driveway.

Mark Schlegel: We have to go into that carport or through it or park right up to it. I have the trailer away from the building because it has a back door.

Elizabeth Caprini: Do you think there would be room for staging blocks and lumber?

Mark Schlegel: I will have that staged accordingly. I have equipment that will move it when it gets dropped off. We have a scheduled delivery safe for the concrete block. I will have my machine there with the forks on it to bring it right over to the construction site because there is not room to stage a lot of material there.

Elizabeth Caprini: Without blocking the neighbors.

Mark Schlegel: Correct. Other than bringing it right through that carport. There is room around the lot. Around the construction area. Just not in front of it.

Elizabeth Caprini: I think that is taking a little bit to how tight it is to the road and setback area. What time of year were you thinking because there be other activity.

Mark Schlegel: We were going to do it in the fall.

Elizabeth Caprini: Next fall.

Mark Schlegel: This coming fall so as to not disrupt the tourist season.

Elizabeth Caprini: Good to hear. Trying to stick to the parking and staging neighbors being aware, but neighbors have not commented.

Diane Graham: We have not gotten to the open hearing to know if we have somebody or not.

Elizabeth Caprini: So much of that is within that front setback so tight. That is all I got on me. Thank you.

Chairperson Howard: There are already less than the fifty feet. The property has been given a non-conformity.

Diane Graham: Do you want me to read the CEO rationale?

Chairperson Howard: I want to make sure there are no other questions about the site before we do that.

Diane Graham: Okay.

Chairperson Howard: Do you have anything else that you want to add?

Mark Schlegel: As far as I know the neighbors are in agreement. Everybody down there seems to get along. I don't foresee any issues with parking or disrupting anybody else's activities. We are going to keep the construction out of tourist season and the fun water and sunshine season.

Laurel Raines: One of the reasons why Bill gave you the run up to set. The neighbors are just north of us the Ottos. They are thrilled we are doing this. They want us to keep the house. They all went there when they were children and played in what we call the carriage house, they call the bunkhouse. They have always remembered it and were so happy because there was another buyer that would have knocked it down immediately. They are very grateful. The house immediately to the other side of us is also a historic house and therefore, they were really happy because there are three houses on the point that are all historic.

Jason Fox: Seems like a very reasonable request.

Chairperson Howard: Okay. Let's listen to the CEO comments who is obviously not here but you are going to read.

Diane Graham: I am going to read from the application what he wrote.

Chairperson Howard: Perfect. Thank you.

Diane Graham: This was at the time of reviewing the application initially.

It does meet the zoning use requirements. It does not meet the zoning area dimensional requirements. His comment is "Existing lot coverage is 28.98% where 20% is allowed. Proposed to expand to 31.28%. Proposed front setback to new addition would be 43.1 foot where 50 feet is required. A certificate of non-conformity is required for existing conditions."

Jonathan Gage: He said existing was 28.98%. How come there is 29.15% is the existing here. What is the difference?

Diane Graham: The chairperson and I noticed concrete pillars that were not included in the lot coverage.

Chairperson Howard: Those basically did was they increased the non-conforming part to 29.15%. It should have been 29.15% to begin with.

Diane Graham: Before the proposed addition and the removal of gravel to grass.

Chairperson Howard: That is why 29.15% is in the total non-conformity certificate. It will be 29.15% for a total lot coverage.

Diane Graham: Pre-existing non-conforming.

Chairperson Howard: Correct. It is pre-existing non-conforming.

Elizabeth Caprini: Can someone help me find what the county said about the setbacks?

Diane Graham: It is in the online meeting folder.

Chairperson Howard: We have to review a bunch of documents. The first one was pretty much covered. The certificate of non-conformity for pre-existing non-conforming lot coverage.

If everyone is done asking Mark questions. Diane, do we want to separate the setback variance from the lot coverage variance? Do we want to entertain all the information that we have for both the setback and variance. It has to get read into the record anyways so let's do that.

Are there any visitation reports?

Jason Fox: I drove by it. I have no questions, no concerns.

Elizabeth Caprini: I have been down there three times. I had some thoughts that I could not find addressed. For example, in the wastewater system. To clarify in the bunk house.

Mark Schlegel: Carriage house.

Elizabeth Caprini: That looked like it had a washer, dryer, sink. I could not find if those were specifically addressed and included in Tyler's inspection.

Mark Schlegel: Both buildings utilize a septic holding tank.

Elizabeth Caprini: In the new building will not have any plumbing?

Mark Schlegel: Correct.

Elizabeth Caprini: Next to a downstairs bathroom, right?

Mark Schlegel: Right.

Elizabeth Caprini: I wondered why you were not enhancing or connecting the carriage house and using that and then you do not have the lot coverage issues.

Mark Schlegel: To connect the two buildings would require a breezeway about the same square footage. Probably more.

Elizabeth Caprini: Okay. Thank you. I did not walk it off and measure it out. That is two-story. I answered my question about height when I was down there. This is going to be a whole other height. There is a dormer on the carriage house. A second level on the main house. This will be different.

Mark Schlegel: It will be lower than the main house. It will only be one story with a peaked roof. The ridge will be lower than the existing house ridge.

Elizabeth Caprini: And the carriage house. One of my peeves for lot coverage is views for other people on the lake and the view from within. Both ways. Not just for the owner. I think that it becomes mute in this case because of beautiful cedars. It is a buffer to your neighbors and behind the carriage house, so it does not really block from the road if people are walking in the vineyard they cannot see through anyway.

Mark Schlegel: Yes.

Elizabeth Caprini: Those are my thoughts from being onsite.

Jonathan Gage: I went down yesterday afternoon and walked around a little bit. One question I have which I see Kevin Olvany also brought up related to the floodplain. Are you going to be raising the structure out of the floodplain with fill material?

Mark Schlegel: The building will have a foundation in the ground, but the floor levels are well above the flood plain.

Jonathan Gage: They are. Okay.

Mark Schlegel: Yes. About three feet I believe. Roughly three feet would over the 100-year flood plain.

Jonathan Gage: Good then. It looked like it wasn't necessarily. One of the questions we always have is the existing nature of the neighborhood and the distances from there. I noticed that when you drive around there are varying distances, but I do not think this is necessarily any closer than some of the other places on Granger Point. Just an observation of that. Those are the only points I have.

Barbara Howard: I believe I was down Monday afternoon and Mark happened to be there. We walked around. I explained to him that the County Planning Board and he had received a letter at that point that said they had denied. If they denied it we have to have a super majority in order to override their denial, which means four out of five. One of the things we were concerned about with the lot coverage was the fact there was a deny from the county. Mark and I walked around and one of the things that was suggested which Mark has alluded to in his alternate. There are two places that are gravel right now. One of them is right next to the boat hoist which was clearly an old boat launch. If you look at the boat and you look at the boat hoist there is gravel. It is prickly gravel. They have an outdoor carpeting over it because it is rocky stuff. One is once you come through the carriage house there is platform there of gravel. To turn either one or both or some of each back into lawn actually reduces the lot coverage. The revised site plan as you can see has that marked off in both places. They are going to take some off of both places. By bringing that gravel back into lawn that will get them back to the non-conforming 29.15% with the addition.

Elizabeth Caprini: You do not use the gravel behind the carriage house?

Diane Graham: It is only where the property line is. So that is an easement to their property. See the solid line? That is the property line.

Chairperson Howard: They probably parked cars on it at some point but as they have to come through the carriage house first.

Elizabeth Caprini: That is what it looked like because there is gravel there.

William Vitek: There is room to park two cars there even if we shorten up that gravel area.

Elizabeth Caprini: Without parking on the lawn?

William Vitek: Yes.

Chairperson Howard: Yes. Once you shorten it up you can get four cars on there I think.

Diane Graham: Everything inside the perimeter is figured into the lot coverage. Not outside of it.

Chairperson Howard: At this point is there any other visits?

Carol Dulski: I did not make an inspection, but I am familiar with that area.

Chairperson Howard: The next step is to determine the SEQR status.

Diane Graham: It looks like it is going to be you.

Chairperson Howard: Do you have a copy of it?

Diane Graham: I do not have a copy of the wording that goes along with it. I have the numbers.

Chairperson Howard: I had asked that another member to take the lead on SEQR. I do have it.

Diane Graham: Oh good.

Chairperson Howard: This was in the packet at some point, but it might have been in a different demeanor. Diane, do I have to read all of these and say yes and no to them or just point out there is nothing?

Diane Graham: What is the finding. What type of action.

Chairperson Howard: I do not have to read all.

Diane Graham: Just the first line or two so it identifies what it is.

Chairperson Howard: Okay.

Diane Graham: Unless you want Jonathan to read it.

Chairperson Howard: The first is the proposed action only involves the legislative adoption of plan local ordinance in regulation? The answer is no.

Diane Graham: The SEQR would be 617.5 (c) with what the numbers are you are choosing.

Chairperson Howard: That is what I do not have. I just have the numbers.

Diane Graham: Yes. You can read that. I think it was for single-family, the first one.

Chairperson Howard: I do not even have that. I do not have the SEQR code book at all. I left it in your office. Sorry, this is only my second meeting as chairperson. We have determined that the SEQR status is Type II action under paragraph 617.5 (c)(11) and (c)(16) which allows us to get variance for setbacks. Any questions? Apparently, everybody needs to review SEQR.

Elizabeth Caprini: It is on the form you gave Diane except it didn't note the specifics.

Diane Graham: Right, because we were going to have somebody else provide that.

Chairperson Howard: Yes. Any questions or disagreements with that?

Diane Graham: Does everybody approve of that and then you record that as part of your findings.

Chairperson Howard: Do we have to vote on that?

Diane Graham: It says do you approve of your finding.

Chairperson Howard: Do you approve of my finding SEQR Type II?

Diane Graham: We record that as part of your findings later.

Chairperson Howard: SEQR we are okay with. The public hearing is now open.

Diane Graham: We have one person on Zoom that could possibly be someone who wants to speak. Nick on Zoom do you want to speak in public hearing? Hearing no comment.

Chairperson Howard: I will close the public hearing.

Jonathan Gage: He sent no comment.

Chairperson Howard: Okay. No comment.

Diane Graham: I did not see that. Thank you.

Jonathan Gage: It just came up.

Chairperson Howard: Now we need to read.

Diane Graham: I did not receive any written comments from neighbors or anyone. Positive comments from neighbors are always welcome, but I have not received any. Now you go into any public or municipal officer's documentation which is on your list.

Chairperson Howard: We have talked about the certificate of non-conformity ready to go into the minutes.

Diane Graham: That is for pre-existing lot coverage, side setback for building and front setback for house and building.

Chairperson Howard: That is correct. The agricultural data statement project is approximately 127.52 feet from the vineyard.

Diane Graham: It is supposed to be within 500 feet.

Chairperson Howard: It is in the 100-year flood plain which requires a flood plain permit application which is included in the packet. Onsite wastewater inspection has been reported by Tyler Canandaigua Lake Inspector. Included in that was that there was an alarm for the high-water level and that it was not working properly at the time he did the report. It has since been corrected and notified us or at least notified Mark that has been taken care of.

Mark Schlegel: It's been inspected by Tyler.

Diane Graham: Right. The alarm that he asked to be put in been inspected.

Mark Schlegel: The alarm has been inspected. Yes.

Diane Graham: Good. That is all we need to hear.

Chairperson Howard: There is a NYS DEC jurisdictional review letter dated December 27, 2024. NYS Parks and Recreation Historic Preservation no impact in letter dated February 27, 2025. Ontario County Planning Board referral. Would you read that?

Diane Graham: They broke it out into two. The front setback of 43.1 their comment was class 1 and return to the local boards with comments and with respect to the lot coverage as we presented it they did a final classification of class 2 final recommendations of denial with two comments:

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

The applicant emailed Kevin Olvany, and we have his comments later to read.

Chairperson Howard: Planning Board letter dated March 25, 2025. You may have it faster than me.

Diane Graham: Do you want me to read it?

Chairperson Howard: If you have it, go for it.

Diane Graham: At the March 19, 2025, meeting the Planning Board requested the following items by April 1 or by March 26 for the Zoning Board of Appeals meeting:

- Add to site plan: silt fences, flood plain elevations, floor elevations for master bedroom addition, and holding tank manhole rim elevation.
- Reach out to Kevin Olvany, Canandaigua Lake Watershed Manager, for his review and comments in writing on storm water and erosion control measures.
- Zoning Board of Appeals approvals on front setback and lot coverage variances.

That we will tentatively plan to attend the Planning Board meeting in April if they meet all those criteria.

Chairperson Howard: The revised site plan shows four concrete pillars that were not originally included in the non-conformity. The gravel reduction areas one and two back to grass to lower the lot coverage. Is there a silt fence?

Mark Schlegel: It is on that map.

Chairperson Howard: I forgot about looking for it. Floodplain elevations, floor elevations for master bedroom, holding tank, manhole. Those are on the renderings.

Diane Graham: They are. Initially we did not see it, but it is there. Each spot that they asked for is there.

Chairperson Howard: Yes. It is. Kevin's email comments.

Diane Graham: The first response was *"I would suggest adding a silt fence around the lower part of the area of disturbance. I would use straw mulch on any area that are going to be disturbed for more than a few days."* After more discussion with him on the scope of the project he came back with an updated email he said, *"If they are building the proposed bedroom in the existing floodplain are they raising the structure out of the floodplain with fill material? If they are, are they offsetting the floodplain fill with adding through excavation floodplain somewhere else on the property? It sounds like they are getting the lot coverage back to pre-existing lot coverage levels. Please verify this."* I did send him the revised site plan. *"I would suggest adding a drywell to discharge the new gutters and existing gutters that handle the roof runoff."*

Mark Schlegel: The first question is if they are building the proposed bedroom in the existing floodplain, which we are. Are they raising the structure out of the floodplain with fill material? He is asking if we are bringing in material to raise grade, and we are not. We are going to be digging a foundation per NYS Building Code 42 inches below grade, footers and block coming up. That will create some fill. I will remove what is not going to be necessary for back fill. There will not be piles of dirt sitting around. That can be an issue with water problems. We are not bringing in any foreign fill, which is what his first questions was. Do you have any questions?

Jason Fox: No. I say it is straight forward. His question I would interpret it more as are you building a pad and your raising the entire structure, but with what you are saying it is pretty minimal.

Mark Schlegel: Yes.

Carol Dulski: I could not hear that at all, Jason.

Jason Fox: I am sorry. What he is proposing is very minimal as opposed to what Kevin's question was which I interpreted to be more of building a pad type structure where you are infilling the entire area that you are building upon, which is not the case here, so it is reasonable.

Carol Dulski: Okay. Thank you.

Elizabeth Caprini: Can you explain a little bit about the drywell.

Mark Schlegel: He had asked about that. There is not anything on the map because it is all underground. A few years ago, I did drainage around the carriage house and put in a drywell. A drywell is a hole in the ground filled with gravel that we run the gutter and downspout water into that has been installed here. It is not on the map. When I did that project, I contacted watershed and DEC. I ran my plans past them. Gave them elevations. They did not even ask me for a permit. I was kind of wishing they would, so I had a paper trail. I told them when I would be doing the project. I asked them if they wanted to stop by and see it and they did not. There is not any documentation of me doing that, but there is a drywell on the property. There is a cut in the sidewalk to accommodate accepting the storm water from this addition. We can tie the gutters from that new addition into the existing drywell.

Jason Fox: Great. You are able to meet his request.

Mark Schlegel: Yes. When he asked about a drywell, it is already there. We do not need to install anything new. No more excavating. No additional excavating for that.

Jason Fox: Thank you.

Mark Schlegel: Yes.

Chairperson Howard: That is the end of what we have from officials. None of them raised any red flags so I think we are all set there. Questions time for our discussion.

Jason Fox: I have no additional questions. It is a very thoughtful proposal. Their request is very reasonable in nature.

Elizabeth Caprini: It was neat to see everybody work together as far as the coverage and my concern about the front setback as far as neighbors and roadway I feel good about it.

Chairperson Howard: Yes. It really does not change much.

Elizabeth Caprini: There was consideration there.

Diane Graham: Carol or Jonathan comments?

Carol Dulski: Can you speak into the microphone. I am really having trouble.

Chairperson Howard: Sorry. Somehow it moved away.

Diane Graham: They work better when you are closer.

Chairperson Howard: Okay. We need to do findings then.

Diane Graham: You can take turns reading them. Just say which ones you will take.

Jonathan Gage: We do not need to read the SEQR because we already did that.

Diane Graham: You do.

Jonathan Gage: We do.

Diane Graham: This is part of the findings now.

Chairperson Howard: Finding one.

Front Setback Variance Findings:

1. Jonathan Gage made a motion that the requested variance is covered by SEQR paragraph 617.5 (c)(11) and 617.5 (c)(16) as a Type II action. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 5, E. Caprini, C. Dulski, J. Fox, J. Gage, B. Howard
Nays 0

Motion carried.

2. Barbara Howard made a motion that an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the area variance. Jason Fox seconded the motion.

All in favor.

Ayes 5, E. Caprini, C. Dulski, J. Fox, J. Gage, B. Howard
Nays 0

Motion carried.

3. Elizabeth Caprini made a motion that the benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance. Jason Fox seconded the motion.

All in favor.

Ayes 5, E. Caprini, C. Dulski, J. Fox, J. Gage, B. Howard
Nays 0

Motion carried.

4. Jason Fox made a motion that the requested area variance is not substantial. Elizabeth Caprini seconded the motion.

All in favor.

Ayes 5, E. Caprini, C. Dulski, J. Fox, J. Gage, B. Howard
Nays 0

Motion carried.

5. Jonathan Gage made a motion that the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. Barbara Howard seconded the motion.

All in favor.

Ayes 5, E. Caprini, C. Dulski, J. Fox, J. Gage, B. Howard
Nays 0

Motion carried.

6. Carol Dulski made a motion that the alleged difficulty was not self-created. Jason Fox seconded the motion.

All in favor.

Ayes 5, E. Caprini, C. Dulski, J. Fox, J. Gage, B. Howard
Nays 0

Motion carried.

Diane Graham: Any other findings?

Chairperson Howard: Any other findings? I cannot think of anything.

Diane Graham: Any conditions? Things to ask each time.

Jason Fox: No.

Jason Fox made a motion to approve the applicant's request for a 6.9-foot variance with a 43.1-foot front setback from the property line to the proposed master bedroom addition. Elizabeth Caprini seconded the motion.

Roll Call Vote:

Elizabeth Caprini – Aye
Carol Dulski – Aye
Jason Fox – Aye
Jonathan Gage – Aye
Barbara Howard – Aye

Motion carried.

Lot Coverage Variance Findings:

The applicant/owner has reduced the gravel areas one and two to meet the pre-existing non-conforming lot coverage of 28.98% with pillars added .17% as a result the revised lot coverage is 29.15% and therefore does not require a lot coverage variance.

Chairperson Howard: The revised lot coverage is 29.15%.

Diane Graham: Correct. Pre-existing lot coverage. Now we go to you have your approval.

Chairperson Howard: Congratulations! You have your approval.

Mark Schlegel: Thank you everybody.

Diane Graham: Now you have to go to the Planning Board and get site plan approval then you're good to go.

William Vitek: Great! Thank you all. I appreciate your thoughtfulness in review of the character of the situation that we want to keep there. Thank you.

Chairperson Howard: I want to thank both Diane and Mark. When we discovered there might be an alternative that might work Monday afternoon the two of them were hustling to get everything else done. Mark probably owes his surveyor a steak dinner or something for getting that back to us. Otherwise, it would have held you up another month, which is why we were trying to do it as quickly as we could.

Mark Schlegel: I think it is uncommon to catch a surveyor in his office and get something in print within five or six hours. It happened to work out today. I am glad it did, and I am glad we got this one more step in moving this project along.

Jason Fox: Good luck.

Chairperson Howard: Yeah, good luck.

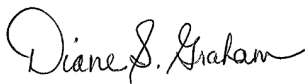
Diane Graham: Thank you.

William Vitek: Thank you, Mark. Thank you all.

Motion to Adjourn

Having no further business, Jonathan Gage made a motion to adjourn the meeting. Jason Fox seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 7:56 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Diane S. Graham".

Diane Scholtz Graham
Board Assistant