

**Town of Throop  
Zoning Board of Appeals Meeting  
Thursday December 14 2023**

Board Members Present:

Chairman

Board Members

Roger Sevilla

Duane Decker

Paul Wilson

Ed Ringmacher

Nancy Sullivan (alt)

Dan Gallinger

Jay Moose

Bruce Tanner

Craig Lounsbury

Rebekah Hunter/phone

Absent

Others present

Meeting called to order by Chairman Sevilla at 6:31pm.

Chairman Sevilla opened meeting with Pledge of Allegiance.

Chairman Sevilla announced Member Sullivan will be sitting with board in Member Gallinger's absence.

Meeting minutes from November 2 2023 meeting were reviewed for omissions or errors. Member Ringmacher made motion to approve minutes as written. Member Decker seconded motion. Approved unanimously.

After close of November 2 meeting Chairman Sevilla requested to change next meeting and public hearing date of December 7 to December 14 2023. Chairman Sevilla contacted Mr Tanner to obtain his approval to change date. Mr Tanner agreed. Board members also agreed to change. Chairman Sevilla would arrange for town website to be updated and notice was placed in local newspaper, *The Citizen*. Copy of notice to be provided with minutes.

Mr Bruce Tanner of 1937 Whitehead Lane, tax# 108.00-1-24.7, in attendance to review his variance request with the board. Mr Tanner is requesting to locate a new pole frame garage 14' (feet) from the west side property line where a side setback of 30' (feet) is required. Article IV Section §4.06, A. 1.b.i.(B) of the Town of Throop Zoning Law, July 26 2023.

Chairman Sevilla shared with all attendees that Mr Tanner has amended the requested distance of 14' (feet) to 12' (feet) where 30' (feet) is required.

Mr Tanner shared updated drawings providing proposed layout of project including measurements.

Chairman Sevilla declared this request as SEQR Type II, no further action required.

Chairman Sevilla opened public hearing for any questions or comments.

No questions or comments presented from the public.

Chairman Sevilla closed public hearing.

Member Ringmacher asked Mr Tanner if property lines were verified. Mr Tanner confirmed he was able to verify property lines.

Board agreed to review Area Variance Criteria to aid in the ruling on Mr Tanner's variance request to locate a new pole frame garage 12' (feet) from the west side property line where a side setback of 30' (feet) is required. Article IV Section §4.06, A. 1.b.i.(B) of the Town of Throop Zoning Law, July 26 2023.

-Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created?

**Chairman Sevilla:** Location in larger lot and placement not out of characteristic to nearby properties. Also stated that Member Gallinger is neighbor and has raised no concerns with project.

**Member Decker:** Agrees project stays within character of the neighborhood

-Can the benefit sought by the applicant be achieved some other way?

**Chairman Sevilla / Member Ringmacher:** No

-Is the variance substantial?

**Chairman Sevilla / Board Members agree:** Looking at numbers it could be considered substantial however other lots in area are similar in size

-Will the variance have an adverse impact on the physical or environmental conditions in the neighborhood or district?

**Chairman Sevilla / Board Members agree:** Proposed project does not include substantial change in slope or appear to create drainage concerns

-Is the alleged difficulty self created?

**Chairman Sevilla / Board Members agree:** Yes but typical of growing families who accumulate belongings over time. Proposed structure not being used for commercial purposes.

Member Ringmacher made a motion to approve variance request from Mr Bruce Tanner of 1937 Whitehead Lane, tax# 108.00-1-24.7, to locate a new pole frame garage with the closest projection 12' (feet) from the west side property line where a side setback of 30' (feet) is required. Article IV Section §4.06, A. 1.b.i.(B) of the Town of Throop Zoning Law, July 26 2023.

Member Sullivan seconded motion.

Roll Call:

Chairman Sevilla - Yes

Member Wilson - Yes

Member Decker - Yes

Mr Craig Lounsbury for property located at 1679 Turnpike Road , Tax# 100.00-1-49 present along with Ms Rebekah Hunter joining over the telephone line.

Mr Lounsbury explained proposed structure would be used as a dwelling for an elderly family member. Also provides family member with nearby care and companionship.

Chairman Sevilla explained to applicants that according to Section 4.05, Use Table, page 20, of Throop Zoning Laws adopted July 26 2023 the proposed project requires a Site Plan Review by the towns Planning Board. Therefore, Chairman Sevilla advised Mr Lounsbury and Ms Hunter to meet with the Planning Board who will gather details regarding proposed project to provide their recommendation to the towns Zoning Board of Appeals.

Chairman Sevilla sensed the applicants were getting frustrated so he explained that the board wants to maintain the towns integrity and character and part of this would be accomplished by the board making fair and accurate decisions. Therefore, no decisions would be made at this meeting.

Codes Officer, Mr Moose, directed Mr Lounsbury and Ms Rebekah Hunter to present their project plans at the towns next Planning Board meeting to be held Monday December 18 2023 at Throop Town Hall at 6pm. Mr Lounsbury and Ms Hunter may not be available to present at the next meeting.

Mr Moose expressed he will attend the meeting and bring copy of plans. If necessary, Mr Moose will contact applicants via phone during meeting with any questions from the board members.

Mr Moose briefly discussed fire separation code and reminded board members to consider restrictions when discussing area variances.

Next meeting and public hearing will be held Thursday January 4 2024 at 6:30pm.

With no further business at hand Chairman Sevilla adjourned meeting at 7:34pm.

Respectfully Submitted

Meghan Wilson

Recording Secretary

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