

WILTON ZONING BOARD OF APPEALS
THURSDAY February 26, 2015

A meeting of the Wilton Zoning Board of Appeals was held on Thursday, February 26, 2015 at the Wilton Town Hall, 22 Traver Road, Wilton, New York and was called to order by Vice Chairman Ramsdill at 7:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Christopher Ramsdill, Rocco Angerami, James Deloria, Dean Kolligian, Robert Barrett, Tony McCracken, Gerard Zabala and Scott Kingsley. Also present was Mark Mykins, Zoning Officer.

ABSENT: Chairman O'Brien and Mark Schachner

MINUTES: The minutes of the last meeting, held on January 22, 2015 were approved, as submitted, on a motion made by Mr. Kolligian seconded by Mr. Angerami. All board members were in favor.

CORRESPONDENCE: None other than those relating to current applications before the board.

NEW BUSINESS:

APPEAL NO. 15-05 Richard Celmer, 46 Tom Sawyer Drive, Gansevoort, New York 12831. Request for an Area Variance pursuant to Schedule A Residential District and Section 129-157 Projections into required yards, for rear yard setback, relief of 10 ft. for a proposed deck; property located at 46 Tom Sawyer Drive, Gansevoort, New York, 12831 Tax Map No. 114.20-1-35 zoned R-1 in the Town of Wilton.

Mr. Celmer approached the Board and explained he would like to build a deck attached to his house. Mr. Celmer further explained that the way the house sat on the lot it was not parallel to the setback and one corner of the proposed deck was over. Mr. Celmer said he needed an Area Variance for that corner of the proposed deck.

Vice Chairman Ramsdill asked if there were any questions from the Board or public comment. Mr. Zabala asked if the Lands of Wilton was the Preserve or Snook Hill. Vice Chairman Ramsdill thought it was the Snook Hill property that

backed up to the Town of Wilton property. Mr. Mykins said yes. Mr. Zabala asked if they had raised any issues. Mr. Mykins said no.

Vice Chairman Ramsdill asked if there were any other questions. There were none.

Mr. Zabala made a motion to approve Appeal No. 2015-05 for Richard Celmer, 46 Tom Sawyer Drive, Gansevoort, New York 12831. Request for an Area Variance pursuant to Schedule A Residential District and Section 129-157 Projections into required yards, for rear yard setback, relief of 10 ft. for a proposed deck; property located at 46 Tom Sawyer Drive, Gansevoort, New York, 12831 Tax Map No. 114.20-1-35 zoned R-1 in the Town of Wilton. , was granted because the benefit to the applicant outweighs the detriment to the health, safety and welfare of the community, for the following reasons; 1. The applicant has demonstrated that an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the Area Variance because the deck is located in the rear of the dwelling and is similar to the decks on other dwellings. 2. The applicant has demonstrated that the benefit sought cannot be achieved by some method feasible for the applicant to pursue other than by an Area Variance because the deck is attached to the dwelling. 3. The applicant has demonstrated that the requested Area Variance is not substantial because only 10 ft. is requested and this is the least amount in order to construct a deck. 4. The applicant has demonstrated that the requested Area Variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because the location is in the rear of the dwelling and it will not be visible to the neighbors. 5. The applicant has demonstrated that the alleged difficulty is self-created.

Mr. Kolligian seconded the motion. Vice Chairman Ramsdill, Mr. Angerami, Mr. Deloria, Mr. Kolligian, Mr. Barrett, Mr. McCracken, Mr. Zabala All Board members were in favor. The motion passed.

ADJOURNMENT:

Mr. Mr. Kolligian made a motion to adjourn the meeting at 7:06 p.m. Mr. Amgerami seconded the motion. All board members were in favor. The motion passed.

Dated: _____

Amy DiLeone
Zoning Clerk