

**TOWN OF GRANBY ZONING BOARD OF APPEALS**

**Meeting Minutes**

May 1, 2017

AGENDA: Hoffman Public Hearing  
Cornish Public Hearing  
Regular Meeting

MEMBERS: Michael French, Chairman  
Peter LeoGrande - absent  
Patricia Simmons  
Tom Thompson  
Sandra Farrands

ALSO PRESENT: Earl Hofmann, Lynn Waloven, Tammy Brown, John and Ruth  
Cornish, Town Councilor Lori Thrall and CEO Dave Hanford.

Chairman French opened the Regular meeting at 7:00 pm.

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**PUBLIC HEARING**

Earl Hofmann – 139 German-Dale Drive, Fulton  
Tax Map # 269.00-01-09.09

Chairman French opened the Public Hearing at 7:01 pm and asked Mr. Hofmann and his daughter, Lynn Waloven, to present his variance request to the Board members. The applicant is requesting a side setback variance to build a 28'x30' garage 15.6' from the property line instead of the required 20'. The Board members asked why the garage couldn't be moved the 5' and negate needing a variance. Mr. Hofmann replied that there is a large tree located by the house that he and his wife do not want to cut down because it provides much needed shade. The septic area is also located to the west of the proposed garage location and Mr. Hoffman does not want to encroach upon it either. The neighboring property owner, Tammy Brown, is Mr. Hofmann's daughter and has no objections to the placement of the garage. Ms. Brown's driveway is not located in the same area so there is no conflict for egress. Mr. Hofmann explained the design of the garage and that it would have two overhead doors and a single entrance door on the side. Without further discussion by the Board or attending public, Chairman French closed the Hearing at 7:05 pm.

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**PUBLIC HEARING**

John Cornish – 19 German-Dale Drive, Fulton  
Tax Map # 269.00-01-10.04

Chairman French opened the Hearing at 7:06 and asked Mr. Cornish to present his request for a rear setback variance. John Cornish stated that he and his wife would like to install a 24' aboveground pool with a 12'x16' deck on the east side of the pool in

their backyard but because of the lot dimensions (360' wide x 140' deep) the rear yard is somewhat narrow. The existing septic system is to the west of the proposed pool location, and a well and underground electric line is on the east side of the garage which forces the pool location to be directly behind the house. Along the rear property line, a row of 20' high evergreen trees exist to provide privacy, therefore the applicant's feel the encroachment would be minimally invasive to the residents behind them. After some discussion between the Board members regarding the dimensional requirement of 50' for a rear setback, which is equal to the front setback requirement, it was decided that 50' seems excessive for a minimum required lot size of 1 acre, especially if the property is rectangular shaped. Chairman French stated that he would speak with the Planning Board about the ZBA's concerns that 50' for rear setback is excessive and maybe revise that requirement while they are revising the Zoning Ordinance. Without any further discussion from the Board or the public, Chairman French closed the Hearing at 7:12 pm.

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### REGULAR MEETING

The Regular meeting was reopened at 7:12 pm.

**Earl Hofmann** – Without any further discussion from the Board Members a ***motion*** was ***moved*** by Member Tom Thompson and seconded by Member Sandra Farrands to accept the Area Variance request by Earl Hofmann to construct a 28'x30' garage located 15.6' offset from the side property line (5' variance) on property located at 139 German-Dale Drive, Fulton, NY 13069; Tax Map # 269.00-01-09.09 is hereby **GRANTED** with the following express conditions: NONE.

A roll call vote was taken:

|                          |        |
|--------------------------|--------|
| Michael French, Chairman | Aye    |
| Peter LeoGrande, Member  | Absent |
| Patricia Simmons, Member | Aye    |
| Tom Thompson, Member     | Aye    |
| Sandra Farrands, Member  | Aye    |

4 AYES 0 NAYES – Resolution 2017-01 - **APPROVED**

**John Cornish** – Without any further discussion from the Board Members a ***motion*** was ***moved*** by Member Sandra Farrands and seconded by Member Patricia Simmons to accept the Area Variance request by John Cornish to install a 24' pool and deck at a location 22' offset of rear property line (28' variance) on property located at 19 German-Dale Drive, Fulton, NY 13069; Tax Map # 269.00-01-10.04 is hereby **GRANTED** with the following express conditions: NONE.

A roll call vote was taken:

|                          |        |
|--------------------------|--------|
| Michael French, Chairman | Aye    |
| Peter LeoGrande, Member  | Absent |
| Patricia Simmons, Member | Aye    |
| Tom Thompson, Member     | Aye    |
| Sandra Farrands, Member  | Aye    |

4 AYES 0 NAYES – Resolution 2017-02 - **APPROVED**

**Zoning Ordinance Interpretation** - CEO Dave Hanford was present at the meeting to explain that he received three building permit applications from a single owner for three different locations to install signs. The owner is Fulton Mobile Home Parks Inc. and the signs are for three existing mobile home parks in Granby. One of the signs is new for Somerlawn, which is located in an R-1 district and is noncompliant for size. The other two signs are located in the A/R district and A-1 district which the Zoning Ordinance does not specify conditions clearly enough to the satisfaction of the CEO for him to make a determination and process the building permits. The CEO is asking the ZBA for an Interpretation of Zoning Ordinance - Section V, Subsection E-1: Sign Regulations in Residential Districts. The ZBA decided to hold a work session on May 16, 2017 to review the ordinance and discuss such with the Town Attorney, Matthew Ward. The secretary will advertise the meeting and contact the attorney to attend.

#### **MINUTES**

A **motion** was **moved** by Member Simmons to approve the meeting minutes for March 29, 2017. The motion was seconded by Chairman French, all were in favor without further discussion and the **motion carried**.

#### **ADJOURN**

With no other business before the Board a **motion** to adjourn at 7:46 pm was **moved** by Member Simmons and seconded by Member Thompson, all were in favor and the **motion carried**.

Respectfully submitted by:

  
Lisa Somers  
ZBA secretary