

# Town of Constantia Board of Appeals

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## Meeting Minutes – December 18, 2024

### Call to Order

Chair Macari opened the meeting at 7:00pm

### Attendees

Voting members in attendance included:

- o Chair Ken Macari
- o Daniel Retajczyk
- o Steven Rockwell
- o Mark Somers

Guests in attendance included: Daniel Abold, Tamara Grashof, Corey Monroe, and Amy Connolly (Secretary).

Board members absent: Michael Doran

### Public Hearing- Abold 42 Doris Park Dr.

Chair Macari opened the public hearing at 7:02 pm.

Daniel Abold is requesting permission to complete work already started for a soft-sided storage shed on a concrete pad on his property located at 42 Doris Park Drive.

Chair Macari stated that he had read through the Land Development Law (LDL) and did some research on the proposed project. The application states that the proposed shelter is “not a permanent structure” however. The LDL definition of a structure appears to apply, thus giving the Codes Office and Board of Appeals jurisdiction. In order to move forward, this project will require a front setback reduction from 80 feet to 55 feet. The road frontage and other setbacks meet listed criteria in LDL.

The applicant states that the structure is advertised as a portable or temporary garage and that he did not realize a building permit was needed, had every intention of following codes and wants the neighborhood to look nice.

Mr. Macari stated that he had previously spoken to Town Assessor, Mr. Wheeler to determine if this type of structure would be added to a property’s taxable value. While soft top sheds are typically not added, concrete pads are. Mr. Retajczyk read form the LDL regarding “membrane structures” for special events. The board discussed definitions as well as conversations had with the assessor and code officers.

Members discussed other requirements for structures including setbacks and maximum height.

Members reviewed the formatted questions for “Area Variance Findings and Decisions”. The form will be filed in the Town Clerk’s office. Discussion followed.

**MOTION** Dan Retajczyk made a motion to declare the Appeals Board as lead agency for SEQR review. A negative declaration will be filed. The motion was seconded by Mark Somers. The motion passed unanimously.

**MOTION** Steven Rockwell made a motion to declare this project as a type 2 action of non-significance. The motion was seconded by Mark Somers. The motion passed unanimously.

**MOTION TO CLOSE THE PUBLIC HEARING** Daniel Retajczyk made a motion to close the public hearing at 7:35pm. Seconded by Mark SOMers. Motion passed unanimously.

**MOTION** Daniel Retajczyk made a motion to grant the frontyard setback variance from 80 feet to 55 feet. The motion was seconded by Steven Rockwell. The motion passed unanimously.

### Other Business

Discussion between board members and incoming member, Corey Monroe regarding annual training requirements for board members and upcoming opportunity to attend the Tug Hill Commission's Local Government Conference.

### Adjournment

Amy Connolly		
Secretary		Date of Approval
Town of Constantia Board of Appeals		

Mark Somers moved that the meeting be adjourned, seconded by Daniel Retajczyk. Members voted unanimously to adjourn at 7:52pm.