

**Ancram Zoning Board of Appeals**  
**June 8th, 2022 7:30PM**  
**Meeting Minutes**  
**In Person and Via Zoom**

Board Members Present: Steve Olyha (Chair), William Lutz, Sharon Cleveland, Ron Brant (Zoom), Carol Falcetti (Alt)

Board Members Absent: Fred Schneeberger Robert Horwitz (alt),

Others Present: Jay Lorenz

Clerk: J Hoffman

Chair Olyha opened the meeting at 7:30PM.

The meeting minutes from the previous meeting, on May 11th, 2022, of the Zoning Board of Appeals were reviewed. William Lutz motioned to approve the minutes. Sharon Cleveland seconded the motion. All in favor, motion carried.

**Conflicts:**

The Chair, Steve Olyha, asked if there were any conflicts. There were none.

**Correspondence:**

**Old Business:**

**Owen Gardella**  
**Area Variance**  
**207.-1-11**  
**882 E Ancram Road**

William Lutz motioned to open the Public Hearing. Sharon Cleveland seconded the motion. All in favor, motion carried.

The Chair, Steve Olyha, outlined the process for the Applicant and read the oath, which the Applicant affirmed.

The Applicant, Owen Gardella, stated that everyone had heard his presentation during the previous meeting.

Sharon Cleveland motioned to close the Public Hearing. The motion was seconded by William Lutz. All in favor, motion carries.

The Zoning Board of Appeals went through the 11 questions on Part II of the Short Environmental Assessment Form (SEAF) with Chair Olyha reading each question with the answers as follows:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?  
No, or small impact may occur
2. Will the proposed action result in a change in the use or intensity of use of land?  
No, or small impact may occur
3. Will the proposed action impair the character or quality of the existing community?  
No, or small impact may occur
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?  
No, or small impact may occur
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?  
No, or small impact may occur
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?  
No, or small impact may occur
7. Will the proposed action impact existing:
  - a. public / private water supplies?  
No, or small impact may occur
  - b. public / private wastewater treatment utilities?  
No, or small impact may occur
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?  
No, or small impact may occur
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?  
No, or small impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?  
No, or small impact may occur
11. Will the proposed action create a hazard to environmental resources or human health?  
No, or small impact may occur

William Lutz motioned to declare a Negative Declaration for the purposes of the environmental review; that granting the area variance would not have any significant adverse environmental impacts. The motion was seconded by Sharon Cleveland. All in favor, motion carries.

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Steve Olyha read the five factors the Zoning Board must consider in reviewing an application.

**FACTORS CONSIDERED:**

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes\_\_\_ No\_X\_

Reasons: The existing structure is within the setback.

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes\_\_\_ No\_X\_

Reasons: No, integrating the addition with the existing structure will achieve a consistent, integrated architectural design.

3. Whether the requested variance is substantial: Yes\_\_ No\_X\_

Reasons: The board did not feel the variance was substantial based on the existing encroachment and the fact that requested variance is only for approximately 5 feet 6 inches.

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes\_\_\_ No\_X\_

Reasons: No, the variance will not have an adverse impact on the physical or environmental conditions.

5. Whether the alleged difficulty was self-created: Yes\_X\_ No\_\_\_

Reasons: The applicant did not need to apply to build the addition.

**DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:**

The ZBA, after taking into consideration the above five factors, finds that:

the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

**RECORD OF VOTE**

	MEMBER NAME	AYE	NAY
Chair	<u>Steve Olyha</u>	<u>X</u>	___
Member	<u>Ron Brant</u>	<u>X</u>	___
Member	<u>Will Lutz</u>	<u>X</u>	___
Member	<u>Sharon Cleveland</u>	<u>X</u>	___

Based on the above analysis, Will Lutz motioned to grant the Area Variance to Owen Gardella with the following conditions. The motion was seconded by Sharon Cleveland. All in favor, motion carries.

The Applicant must obtain a building permit prior to construction

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**New Business:** None

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Sharon Cleveland motioned to adjourn. The motion was seconded by Steve Olyha. All in favor, motion carried.

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Respectfully Submitted,  
J Hoffman  
Secretary Town of Ancram ZBA

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