

**Town of Charlton  
Zoning Board of Appeals  
Business Meeting Minutes**

**September 15, 2020**

Minutes of the Zoning Board of Appeals meeting held on September 15, 2020.

Acting Chairman Jim Leupold called the meeting to order at 7:05 p.m. at the Charlton Town Hall, 758 Charlton Road, Charlton, New York 12019.

Roll Call attendance was taken.

Present: Jim Leupold, Acting Chairman, Rick Potts, Jim Glavin, Dave Taplin, Jim Craig, Esq., Town Attorney and Kim Caron, Recording Secretary.

Acting Chairman Leupold led the Pledge of Allegiance.

**Business Meeting**

**Minutes**

Acting Chairman Leupold stated that the meeting minutes from the August 11, 2020 meeting need to be approved. Board Member Jim Glavin made a motion to approve the meeting minutes dated August 11, 2020, seconded by Board Member Dave Taplin. All were in favor.

September 15, 2020 Meeting Minutes approved.

**Jessica Debach Application**

Acting Chairman Leupold stated that the additional information requested from the applicant has been provided. The applicant addressed all of the items in the bulleted list under Article 7, Section 7, letter "Q", Retail Store. The information provided is as follows

- 1        25 acres
- 2        A. 85 feet to the front  
          B. 270 feet to the north side, 550 feet to the south side  
          C. 480 feet to the rear

- 3 Frontage is 1,056.10
- 4 840 feet
- 5 14 x 20 or 280 square feet
- 6 13 feet on inside, 15 feet exterior from ground to top
- 7 2:1 (500 square feet: 280 square feet)
8. Building is connected to the main farm house and carries the same aesthetic as the rest of the home. Exterior is white painted wood siding just like the rest of the home. Parking area is screened from the road by an extremely large pine tree and a row of wild flowers and rose of sharon bushes.

Board member Potts questioned the parking ratio stating that for a ratio of 2:1 the square footage should be 560 feet.

Mrs. Debach agreed that was correct.

Acting Chairman Leupold stated that from the pictures provided, it appears that the bushes will screen any cars that are parked visiting the store. Acting Chairman Leupold stated that the current sign does not conform to the zoning requirements.

Mrs. Debach stated that she will make a new sign that conforms to the zoning requirements.

Board member Potts inquired if there was any external storage, for instance garbage cans.

Mrs. Debach stated no.

Board Attorney Craig prepared a Resolution authorizing the scheduling of the Public Hearing for October 13, 2020 at 7:00 p.m.

Board member Taplin made the motion to accept the Resolution scheduling the Public Hearing for October 13, 2020 at 7:00 p.m. Board member Potts seconded the motion. All were in favor.

Mrs. Caron will prepare the required legal notice for publication and neighbor notices.

Board Attorney Craig prepared SEQRA Part 2.

Board member Taplin made the motion to declare the Zoning Board of Appeals as lead agency for the purposes of SEQRA and that the action is classified as an unlisted action with a negative impact declaration relative to SEQRA. Board member Potts seconded the motion. All were in favor.

**Rossi Application**

Mr. Paul Rossi appeared before the Board.

Mr. Rossi stated that he would like to build a garage on his property. A variance is required because the building does not meet the setback requirements of 15 feet.

The Board reviewed the drawings submitted by the applicant. The Board requested information on the property as it exists today since the septic system was relocated.

Mr. Rossi stated that he does not have a depiction of exact locations as they exist today.

Board Attorney Craig requested that the applicant provide a map of the property that shows where things are currently located.

Acting Chairman Leupold stated that the Board will need an updated map with real dimensions to make sure that the proposed location of the garage does not affect the line that was run from the distribution box of the septic system.

The Board agreed that a new map would be required to proceed.

Mrs. Caron found a drawing in the Assessor's Office files showing the new location of the septic line and distribution box. The Board reviewed the drawing.

Board member Potts inquired about the height of the roof.

Mr. Rossi stated that he wants 10 feet for storage with pull down stairs.

Acting Chairman Leupold asked how many cars would fit in the garage.

Mr. Rossi stated that there would be one door but enough room for two cars.

Acting Chairman Leupold stated that knocking the ceiling down 3 feet can fit a loft and meet the height requirement. An updated map showing the property as built and a floor pattern for the garage floor would be required to move the application forward.

Mr. Rossi stated that he would like to have the garage built this year and this process would take too long. Mr. Rossi stated that he would adjust the location of the garage so that it meets the zoning requirements.

Mrs. Caron will send a letter to Mr. Rossi requesting a letter of formal withdrawal of his application for an area variance.

**New Business**

Acting Chairman Leupold stated that no new applications have been submitted.

Board member Potts made the motion to close the meeting. Board member Taplin seconded the motion. All were in favor.

Meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary