

**Village of Bloomfield  
Zoning Board of Appeals Minutes June 27, 2019**

**Zoning Board of Appeals Members Present: Ron Newell, Joseph Ostrowski, Roslyn Duncan, Terry Hall, Emery J. Warden**

**Others Present:** Kimberly Rayburn (Secretary), Jim Kier (Building & Zoning) Shawn & Julie Flattery

**Newell opened the meeting at 7:00 pm, the public hearing was opened with the reading of the public notice**

**I. Review BV2-19** for Owner Shawn Flattery property located at 29 Main Street has applied for an expansion to a non-conforming structure that currently does not meet today's setback regulations for a principal structure. A ten (10) foot hallway and a twenty by twenty (20 x 20) foot addition onto the rear westside of single family (sf) home.

**Article VI Sections 602, 603, 604 (603 B.) Expansion of nonconforming uses and/or structures** *The expansion of a nonconforming use or structure hereunder shall be subject to approval by the Zoning Board of Appeals and each case shall be considered on an individual basis.*

Newell informed the applicants how the meeting would flow. The Board introduced themselves as well as Rayburn and Kier. Newell explained to the applicants why they were in front of the Board. The house was built prior to the current front setback regulations; therefore, the house does not conform to the current setback regulations. Kier stated that the only reason they need to come in front of the Board is because the house sets back three (3) feet short of meeting today's front setback regulations. Newell asked if there were any questions or comments from the public, there were none. He asked Flattery if they had any written comments to submit to the Board, they did not. Newell read the recommendation from the Planning Board minutes from June 13, 2019. Newell also read the section of code the Board would refer to when reviewing this proposal and stated they would be reviewing the location, size, nature, intensity, screening and access parking.

Flattery stated that the addition would consist of a hallway leading from his existing home to a bedroom and a bathroom for his mother. The location of the addition will be to the rear of the home, the side and rear setbacks are not affected. Newell stated that he had a brief conversation with Ron Parrish (adjacent neighbor) and he did not have any concerns with the proposed. Hall asked if there would be outside access to the bedroom, Flattery stated that there is a deck off the current mudroom and he would like to extend the deck so that his mother could have access to the deck as well as the hallway. He also stated that they plan on installing a ramp at the rear as well.

Newell closed the public hearing at 7:20 pm

**Ostrowski made a motion and Warden seconded the motion to declare SEQR as type II, no further action required, all Board members voted and the motion was carried unanimously.**

**The Board then reviewed the criteria:**

Location: The Board stated that they thought the proposed location for the addition was the adequate location as it will be to the rear of the existing home and does not encroach into the side yard setback

Nature, Size and intensity: The addition is appropriately sized for the purpose, and it is not excessive

Screening and access parking: The Board felt that screening was not necessary as the use is still residential and it would give them access to the driveway therefore parking is not a concern.

**Warden made a motion and Ostrowski seconded the motion to approve Review BV2-19 for Owner Shawn Flattery property located at 29 Main Street for an expansion to a non-conforming structure that currently does not meet today's setback regulations for a principal structure. Approval for a ten (10) +/- foot hallway and a twenty by twenty (20 x 20) +/- foot addition onto the rear westside of single family (sf) home.**

Whereas:

1. The request is well within the guidelines
2. The request does not make the property any more non-conforming

**Record of Vote:**

Ron Newell **Aye**, Joseph Ostrowski **Aye**, Roslyn Duncan **Aye**, Terry Hall **Aye**, Emery Warden **Aye**.  
All Board members present voted Aye, Vote was carried unanimously.

**II. Meeting Minutes of March 28, 2019**

**Hall motioned and Warden seconded to approve the minutes from March 28, 2019. All Board members present voted Aye. Vote was carried unanimously.**

**III. Meeting Adjourned Duncan motioned and Ostrowski seconded and it was carried to adjourn the meeting.**

Respectfully submitted,

Kimberly Rayburn

Planning & Zoning Board Secretary