

MINUTES OF THE TOWN OF BINGHAMTON ZONING BOARD OF APPEALS MEETING APRIL 12, 2021 AT 6:30 PM IN THE TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NY.

Members Present: Chairman Gerardo Tagliaferri, Tom Bensley, Mark Bordeau, Sara Reifler, Theresa Taro

Other Present: Alan Pope (Town Attorney), Dean Nye (Councilman/Liaison), Chelsea Mozley (ZBA Secretary), Tim Cooper (Alternate Member), Howard Rittenberg (Applicant), Daniel Maciak (Resident), Sandra Maciak (Resident)

Chairman Gerardo Tagliaferri called the meeting to order at 6:30 pm.

The case on the agenda is for an application by Howard Rittenberg and Heather Fiske (purchasers) and Jaren Harth (current owner) of 3239 Dogwood Dr for an area variance related to the required setbacks for the side yards of the property, Tax Map No. 176.09-3-11.

Chairman Tagliaferri discussed the protocol for the meeting. He asked Secretary Mozley to confirm if all required postings and letters to the neighbors were sent out; she confirmed that the postings were completed on time and that all letters were mailed out with no correspondence received back from the neighbors. Chairman Tagliaferri then asked Mr. Rittenberg to present the case.

Mr. Rittenberg stated the findings of a survey of the current home and addressed each of the issues that were presented. He mentioned that the property is a corner lot, so that the variance pertains to both sides adjacent to the road. He stated that there is no change contemplated- the character of the neighborhood would not be changed, there is no construction needed, and that the property would remain as it already is.

Member Taro asked if the variance needs to be approved by neighbors. Chairman Tagliaferri advised that the neighbors were all notified by Certified Mail for input and no correspondence was received.

Mr. Maciak, who had entered the meeting during Mr. Rittenberg's presentation, asked for clarification of what the variance was exactly for. Mr. Rittenberg presented the illustration of the survey of the property to Mr. Maciak and re-stated that there were no changes being requested. Mr. Maciak stated he understood and that he had no further questions.

Alan Pope then provided a description of how Mr. Rittenberg came to the conclusion of applying for the variance even though there were no changes being requested. He advised that Mr. Rittenberg is a Real Estate attorney and wanted to complete everything in the proper manner, to avoid any issues.

Member Bensley asked for educational purposes what the implications would be if the request for variance was denied. Alan Pope advised that it would not affect the property presently, but would effect the deed.

Member Bordeau made the motion to accept the variance. Member Taro seconded the motion.

Councilman Nye asked for clarification of the address, as it was unclear on the application and supporting materials. Chairman Tagliaferri advised that the address was correct on the application of 3239 Dogwood Dr. He then asked for a roll call:

Chairman Tagliaferri: Yes Member Bensley: Yes Member Reifler: Yes
Member Bordeau: Yes Member Taro: Yes

Variance was granted and Chariman Tagliaferri concluded the hearing.

Chairman Tagliaferri then advised the board members that the remaining scheduled meetings for the year are Monday, July 12 and Monday, October 18, both at 6:30 pm. He advised that for anyone that attended the solar webinar training to provide their signed certificate to him; he then provided each of the members a copy of the number of credit hours that they currently have. He also advised that there was an upcoming webinar of What, How and Why of Site Planning on 4/15 from 12-1 pm and to let him know if anyone needed the information for attending.

Chairman Tagliaferri then concluded the meeting. Meeting was adjourned at 6:50 pm.

Respectfully submitted,

Chelsea Mozley
Zoning Board of Appeals Secretary