

MINUTES OF THE TOWN OF BINGHAMTON ZONING BOARD OF APPEALS MEETING MAY 17, 2021 AT 6:30 PM IN THE TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NY.

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

Others Present: Rose Pope (Town Attorney), Chelsea Mozley (ZBA Secretary), Tim Cooper (Alternate Member), Nick Pappas (Code Officer), Sara Yezzi (Applicant), Michael Yezzi (Applicant's Father), Randall Steere (Resident), Gail Steere (Resident). Susan Sutton and Sheila Bowman (Resident) on Zoom.

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

Chairman Tagliaferri provided his Chairman's report to the Zoning Board members.

He asked the members if they had read over the minutes from the previous meeting and to advise if any changes were needed; no changes were provided, the minutes were approved. They were advised that decision from the previous case was sent to the applicants and that in the future the members will also receive a copy via email. He provided a reminder that there will a joint meeting on July 12<sup>th</sup> at 6:30 pm with the Planning Board. He stated that the training hours log has been updated and if anyone has more certificates to provide him to record.

The case on the agenda is for an application by Sara Yezzi of 3940 Gardner Rd for an area variance related to the construction of a 28' x 40' two-bedroom house to an existing garage on the property, Tax Map No. 177.03-2-15-1.

Chairman Tagliaferri discussed the protocol for the meeting. He asked Secretary Mozley to confirm is 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 Ms. Yezzi to present the case.

Ms. Yezzi presented a drawing of the proposed layout of the house that would be attached to the current garage on the property. She stated that she recently purchased the property with the existing garage on it. She advised that there is a total of 160' of road frontage on the property, but it is not continuous. On one side of the property there is a 100' length of frontage, and 60' on another. She stated that there is already an existing driveway that connects from the garage to the road.

Chairman Tagliaferri asked to confirm if the driveway that is connected to the road is on the part of the property with the road frontage. Mr. Yezzi confirmed that it is and that it is on the side of the property with 60' frontage. He also clarified that the application for area variance is for the road frontage, as the minimum required is 150'. Chairman Tagliaferri stated that there was a phone call from a neighbor to Nick Pappas to receive clarification of the variance. He advised to note the record that the application is not subject to 239 Review.

Member Taro asked if the garage on the property was existing prior to Ms. Yezzi purchasing it. Ms. Yezzi confirmed that it was already existing and did not know how long it had been there. Randall and Gail Steere advised that they moved to their house at 3930 Gardner Rd in 2004 and they believed that the garage was built in 2007. Member Bensley asked if there had been a permit for the garage when it was built- Nick Pappas advised that there was not one on record that he was aware of.

Randall Steere asked if the proposal for what is to be built is one dwelling. Member Reifler asked if the house is to be built onto the existing garage. Chairman Tagliaferri asked to clarify if the request was to build one house. Mr. Yezzi confirmed that the intention is to build only a single dwelling home. Nick Pappas clarified that as this is a single property, only one home can be built on it. Chairman Tagliaferri advised that the variance under consideration is for the frontage only and he confirmed with Mr. Pappas that the permit for the house otherwise met zoning requirements.

There were no further questions from the Zoning Board Members.

Susan Sutton and Sheila Bowman (attending together on Zoom) asked for clarification that the proposed variance would not affect the property at 3938 Gardner Rd. Chairman Tagliaferri advised that he had discussed this with Nick Pappas and there should be no effect on the property in question. Mr. Yezzi confirmed that the side of the property with the frontage that is adjacent to Ms. Bowman is not to be used for access and that they don't plan on making any changes to that frontage. Ms. Sutton advised they had no further questions.

Member Bordeau made the motion to accept the variance. Member Taro seconded the motion. Chairman Tagliaferri asked for a roll call:

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

Variance was granted and Chairman Tagliaferri concluded the hearing at 6:50 pm.

Respectfully submitted,

Chelsea Mozley  
Zoning Board of Appeals Secretary