

ZONING BOARD OF APPEALS MEETING

April 20, 2017

6:00PM

The meeting was called to order by Chairman Bill Gabak at 6:00PM. Roll call by Clerk, Cindy Schiminske, found the following Board Members present:

William Gabak, Jr., Chairman
Kathy Taylor
Fritz Allen
Neal VanLiew
Phil DelloStritto, absent

Also in attendance: Steve/Pat Jordan
Craig Norton, Contractor for Jordans
Don Bowen, Zoning Officer

Chairman Gabak made a motion to approve the minutes of March 16, 2017 as presented by ZBA Clerk, Cindy Schiminske. Approved AYES 4-0.

The purpose of this meeting was to hear the following request:

Stephen Jordan, 4708 West Lake Road, Tax Map # 144.00-1-43, is proposing an addition to his dwelling and is requesting a variance to the requirements of Article 9-2A(2) that limits the increase in volume of the proposed addition to 25% greater than the existing dwelling; and a variance to the requirements of Article 6-9(D)(2) that the dwelling be located at least 50 ft from the mean high water mark of any water body.

Chairman Gabak read the letter that he received from the Cayuga County Health Department, dated April 13, 2017, regarding the sewage disposal system at the property. This letter is attached to and made a part of these Minutes. Mr. Jordan indicated that they already had an approved septic plan. They went through that process last spring. The septic tank was replaced and was brought up to present code and it was approved 4 years ago when they bought the property. There was further discussion regarding the improvements to the septic tank and the Health Department's requirements. The Board strongly suggested that the applicants cooperate with Health Department policy.

The Jordans wish to restore their home, make it handicap accessible, and have a handicap accessible chair lift installed, all as set forth on the attached narrative which the Jordans submitted. The increase in volume would be approximately 31%.

Chairman Gabak reviewed the five criteria for granting the area variance with the Board Members.

A motion was made by Kathy Taylor to vote on the increase in volume from the required 25% to 31%, seconded by Chairman Gabak. Roll call vote was taken by the Board.

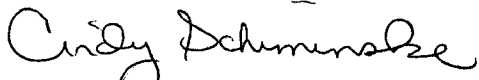
MOTION APPROVED 4 AYES 0 NAYS

A motion was made by Neal VanLiew to locate the structure closer than the required 50' from the mean high water mark of Owasco Lake, seconded by Chairman Gabak. Roll call vote was taken by the Board.

MOTION APPROVED 4 AYES 0 NAYS

Chairman Gabak made a motion to adjourn the meeting, seconded by Fritz Allen. All in favor. Time was 6:38 PM.

Respectfully submitted,



Cindy Schiminske

Clerk, Zoning Board of Appeals



Cayuga County Health Department

Kathleen D. Cuddy, MPH—Public Health Director
Eileen A. O'Connor, P.E.—Environmental Health Director

April 13, 2017

William Gabak, Chairman
Zoning Board of Appeals
Town of Fleming, NY
2433 Dublin Road
Auburn, NY 13021

Re: Sewage Disposal System
4708 West Lake Road
Tax #144.00-1-43
Fleming (T), Cayuga County

Dear Mr. Gabak:

It has come to our attention that during the next Zoning Board of Appeals (ZBA) meeting the ZBA will be considering an application from Mr. Jordan to construct an addition to his existing residence located at the above address.

The Cayuga County Board of Health adopted a policy in 2012 that septic systems serving homes in environmentally sensitive locations must be upgraded if the homeowner wishes to expand their home. The Jordans have been notified by this office that since their residence is located adjacent to Owasco Lake and the existing septic system serving that residence is substandard, the Health Department requires an upgrade of the existing septic system if the residence is expanded.

We respectfully request that, should the ZBA approve Mr. Jordan's application to expand his residence, a condition of the ZBA's approval specify that the homeowner must comply with Health Department requirements for upgrading the septic system.

Please call if you have any questions or need further information.

Sincerely,

Eileen A. O'Connor
Environmental Health Division