

Town of Constantia Board of Appeals

Meeting Minutes – December 8, 2023

Call to Order

Chairman Macari opened the meeting at 7:00pm

Attendees

Voting members in attendance included:

- Chairman Ken Macari
- Daniel Retajczyk
- Mark Somers

Guests in attendance included: Richard Resch Sr. and Amy Connolly (Secretary).

Board members absent: Susan Kimmel, Michael Doran

Public Hearing- Resch 20 Ackerman Rd.

Chair Macari opened the public hearing at 7:02 pm.

Richard Resch Sr. is requesting a side yard variance for a gazebo on his property at 20 Ackerman Rd in Bernhards Bay.

Applicant states that he currently has a “Shelter Logic” temporary shed in the location in which he would like to put the new shed.

The structure will be only one story tall. Board members ask the applicant what the impact would be if they did not grant the variance. Discussion followed determining that the applicant would have limited space between the existing boathouse and the new shed. This would impede access to the boat house and lake views.

MOTION Mark Somers made a motion to declare the Appeals Board as lead agency for SEQR review. A negative declaration will be filed. The motion was seconded by Daniel Retajczyk. The motion passed unanimously.

MOTION Mark Somers made a motion to declare this project as a type 2 action of non-significance. The motion was seconded by Daniel Retajczyk. The motion passed unanimously.

Members reviewed the formatted questions for “Area Variance Findings and Decisions”. The form will be filed in the Town Clerk’s office. Discussion followed.

Board discussed granting the request. Applicant’s request was found to not consistent with what was written on the application by the Codes Officer. Applicant is actually requesting a 13 foot variance.

Members reviewed the formatted questions for “Area Variance Findings and Decisions”. The form will be filed in the Town Clerk’s office. Discussion followed.

MOTION TO CLOSE THE PUBLIC HEARING Mark Somers made a motion to close the public hearing at 7:35pm. Seconded by Daniel Retajczyk. Motion passed unanimously.

MOTION Daniel Retajczyk made a motion to grant the variance requested. Changing the sideyard setback from 15 feet to 13 feet on the west property line. The motion was seconded by Mark Somers. The motion passed unanimously.

Approval of Minutes

Mark Somers made a motion approve minutes from the November 10th meeting with minor edits. Seconded by Daniel Retajczyk. Motion passed unanimously.

Adjournment

Mark Somers moved that the meeting be adjourned, seconded by Daniel Retajczyk. Members voted unanimously to adjourn at 7:48pm.

Amy Connolly

Secretary

Town of Constantia Board of Appeals

Date of Approval