

Town of Starkey Zoning Board of Appeals

40 Seneca Street, Dundee, NY 14837

The Zoning Board of Appeals held a Public Hearing and Regular meeting on Thursday February 15, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Eileen Rudiatas, Chairperson
Neil Alexander
Terry Campbell
Doug Willis
Jeff Morris

Guests present:

Brian Quackenbush, Code Official
Ralph and Nancy Dubendorfer
Jim Anderson
Jane Levitino

Chairperson Eileen Rudiatas opened the Public Hearing at 7:30pm. Eileen called for a motion to approve the minutes of the previous meeting. Terry motioned to approve, seconded by Neil. Motion carried 5-0, minutes approved.

2017-ZBA-6, Ralph Dubendorfer, 1488 Juniper Point Rd., Dundee, NY 14837 requests an Area Variance for the 3 season room addition to their cottage. The cottage was previously approved for a screened in porch. Jim Anderson asked about the difference between a 3 season room and a screened in porch. Neil explained the differences. Eileen stated she received a letter from Margie Hunt who wanted to know why there were changes in the application. Eileen told her there were a lot of changes to the property from what was previously approved. Jane Levitino stated that when it was a screened in porch it did not block her view, but with the solid walls it now does. Jeff said he is concerned about blocking views. Brian explained the location of the Levitino and Dubendorfer properties to board members. Eileen noted her displeasure of hearing this application 4 times due to the changes. Jane Levitino said the construction was a solid 3 season room from the beginning. Jim Anderson asked if this would have been approved if it had been submitted as it is originally. Neil said it probably would as it does not block views. Brian said he spoke with Peter Levitino by phone regarding the reason for so many meetings. Brian explained that every time there was a change it had to have another meeting. Eileen closed the Public Hearing.

Eileen opened the Regular meeting. Jeff asked Brian if he is comfortable with construction. Eileen concerned that if this application goes through it will set a precedent for future applications; if application is approved as one thing and they change it. Eileen asks how do we avoid this again in the future? Brian said with a better application with clearer instructions. Eileen read the 5 tests for an Area Variance. Neil motioned to approve the application,

seconded by Doug. Neil and Doug voted yes, Terry, Eileen and Jeff abstained from voting. Application denied 2-0-3. Brian will look into how to proceed as this has never happened before. Nancy Dubendorfer asked if this was denied or stalled, Brian said as of this meeting it is denied. Worst case scenario they will have to go back to a screened in porch which was previously approved. Eileen called for a motion to close the meeting. Neil motioned to close, seconded by Terry, motion carried 5-0. Meeting adjourned.

Respectfully submitted, (from notes taken by Brian Quackenbush and the recording),

Peggy Carr, Clerk

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