

TOWN OF EDEN
ZONING BOARD OF APPEALS
2795 EAST CHURCH ST, EDEN, NY 14057

PUBLIC HEARING DATE: December 17, 2020

BOARD MEMBERS PRESENT: Kristin Kent, Chair
Joseph Winiecki
Drew Riedel
Candice Pineau
Curtis Neureuter

BOARD MEMBERS ABSENT: Doug Scheu
BOARD MEMBERS EXCUSED: Phil Muck

TOWN BOARD: Gary Sam

CODE ENFORCEMENT OFFICER: Dave Rice

APPLICANTS: James Natwora

RESIDENTS PRESENT: Mike Blaszczyk

RE: **Appeal No. 2020-6**
James Natwora
8630 Sisson Hwy.

All participants attended by GoToMeeting or telephone call-in.

Ms. Kent called the hearing to order at 7:00 p.m. and requested comments on the November minutes. **Mr. Neureuter made a motion to approve the minutes from the November 17, 2020 meeting; seconded by Ms. Kent. Motion approved unanimously.**

Ms. Kent then read the Legal Notice published in the "The Sun":

Natwora: Application for a variance at 8630 Sisson Highway to allow subdivision of the property into two lots in violation of the minimum lot size rule, under Code section 225-8 A (3).

Ms. Kent confirmed with Ms. Crowe that the property list Notice was completed.

Mr. Natwora was then asked to explain the reasons he applied for the variance.

Mr. Natwora explained that the current lot covers both sides of the road on Sisson Highway. He would like to divide the property at the road into two lots. Lot one, on the west side of the road, has two houses and a garage. Lot two, on the east side of the road, is vacant land. He plans to sell lot one with the structures and keep lot two, the vacant land.

Mr. Natwora was then asked questions by the board related to the requirements for variances
(his answers are in italics):

Will this create an undesirable change in the neighborhood? *No, there will be no change to the neighborhood. The road has always intersected the property.*

Is there an alternative method that could provide a solution? *I could add a portion of lot two to lot one in order to achieve the five-acre minimum. This would result in lot one being intersected by the road. Mr. Neureuter stated that it doesn't make sense to leave a lot intersected by the road and does not seem to solve the problem.*

Will the property split create a substantial variance? *No. The minimum lot size is five acres. Lot one will be four acres, only short by one acre.*

Will the variance create an adverse effect on the environment? *No. There will be no physical or environmental change.*

Is the need for a variance self-created? *No, the property was left to me by family. The property was intersected when they built the road.*

Mike Blaszczyk, neighbor to the south, stated that he had no concerns. He was mostly interested in learning the process.

After further discussion among the Board, **Mr. Neureuter made a motion to approve the requested variance for 8630 Sisson Highway as shown on the survey. Seconded by Ms. Kent. Motion approved unanimously.**

Meeting was adjourned at 7:20 pm.

Respectfully submitted,
Jen Crowe, Secretary Eden Zoning Board of Appeals December 30, 2020

The above minutes were reviewed and approved on _____, 2020 by
