

**APPROVED:**  
**MOTION BY:** **SECONDED BY:**  
**AYES:** **NAYS:** **ABSTENTIONS:** **ABSENT:**  
**DISTRIBUTION:** OFFICIAL MINUTES BOOK – TOWN CLERK – BLDG DEPT.

Certification of Receipt
By: _____ Rosaria Peplow, Town Clerk
Date: _____

**ZBA MEETING MINUTES**  
**TOWN OF LLOYD ZONING BOARD**

**Thursday, September 11, 2014**

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**CALL TO ORDER TIME:** 7:00pm

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE** Present: Paul Gargiulo; Chairman, Meredith Engle, Tim Marion, Peter Paulsen, Shari Riley; Code Enforcement Officer  
Absent: John Litts, Anthony Pavese, Paul Symes

**ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**

**New Business**

**Passante, Jeff and Dawn, 847 N Chodikee Lake Rd, SBL#79.2-2-2.120, in R1 zone.**

The applicant would like to create a 2 lot subdivision in a R-1 zone. Lot #1 will consist of 4.853 acres with the current residence and Lot # 2 will consist of 2.816 acres of land. Lot 2 needs one buildable acre to meet the dimensional codes. Once the wetlands and buffer is removed, lot 2 has .69 buildable acreage. A variance of .31 acres is required.

<b>REQUIRED</b>	<b>REQUESTED</b>	<b>VARIANCE</b>
1 acre	.69 acre	.31 acre

Jeff and Dawn Passante were present for the meeting.  
Paul informed the Board that this application was before the Planning Board and referred to the Zoning Board. The Planning Board cannot grant a subdivision on an inadequate lot. The applicant only has .69 acre of the full acre needed to be considered a buildable lot. A variance of .31 is being requested by the applicant.  
Dawn P: The Planning Board is saying we do not have a buildable acre, which we are sort of not understanding because all of the neighboring houses are in the same place as our proposal and we have 125 feet of required road frontage.  
Paul: What is the reason why you cannot move the subdivision line over one foot?  
Dawn: We have landscaping all along here, when my dad died we planted a tree.  
Paul: You would not have to take the trees down.  
Dawn: But they would no longer be on our property.  
Jeff Passante: We know the procedures and respect the code but I have a very hard time understanding why we can not do this because (Mr. Passante had photos) what we are doing is less, much less than neighbors' footprint.

42 Peter P. arrived at 7:10pm and was updated.  
43 Paul: Your plan is in characteristic with the neighborhood we know that. We looked at this last month and did  
44 not see any reason why you could not move the line over. Now you are here telling us that for the last 15 yrs.  
45 you have planted all of these trees and it has created a natural boundary.  
46 The property boundaries were discussed and photos reviewed .  
47 A **Motion** was made to set the public hearing for October 9, 2014 by Tim Marion, seconded by Peter Paulsen.  
48 All ayes.

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52 **Administrative Business**

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55 **MINUTES TO APPROVE:** A **Motion** was made to accept the June 12, 2014 Zoning Board Minutes by  
56 Tim Marion, seconded by Meredith Engle. All ayes.  
57 A **Motion** was made to accept the July 10, 2014 Zoning Board Minutes by  
58 Meredith Engle, seconded by Tim Marion. All ayes.  
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60 August 14, 2014 Meeting Minutes approval postponed due to lack of quorum  
61 attendance

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63 Meredith Engle presented the Board with a letter of resignation.  
64 Paul Garguilo thanked Meredith and told her how much he appreciated her participation.

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66 A **Motion** to adjourn was made by Tim Marion, seconded by Paul Garguilo. All ayes.