

Town of Middlesex / Zoning Board of Appeals Public Hearing

Minutes November 18, 2021

Zoning Board of Appeals Members: Chair – Rebecca Parshall;
Board Members present: Elizabeth Grant, Richard DeMallie, Win Harper (alt)

Others present: Attorney Rob Brenner, Esq.,

Public Present: Dean Arpag, Jon Jones from Marks Engineering, Richard Testa

Public Hearing was called to order at 7:01 p.m.

Chair Parshall established a quorum and gave a brief summary of the criteria required of the Zoning Board of Appeals in determining a variance. Attendees need to be recognized by the Board prior to speaking. Any request for variance from the Town's Zoning Law has sixty-two (62) days for the Board to determine closing of the Public Hearing. She cited Sec. #908.0 of the Town of Middlesex Zoning Law which offered the applicant an appeal to the Supreme Court by proceeding with an Article #78 of the Civil Practices Law and Rules to be instituted within (30) thirty days after the filing of a decision by the Zoning Board of Appeals.

1. Application #01112021-Z

Applicant: Dean Arpag at located at 1187 South Lake Road, Middlesex NY 14507
Tax ID #21.64-1.1 (L/R)

Jon Jones, P.E. of Marks Engineering, representing agent for property owner Dean Arpag presented the application requesting a front setback variance from the HMWL of 11.8 ft. when 40 feet are required by zoning. Two side setback variances on the south property line of 7.5 and 2 feet when 15 ft. is required and two rear setback variances of 18.6 and 15.8 feet from the road centerline when 60 feet is required.

The variance requests were generated by a desire to replace an existing shed on the upland side of the shoreline due to structural damage, and increasing the square footage from 80 sf to 225 sf for storage purposes; replacement of an existing set of stairs leading from the road to the shoreline and construction of a parking barrier made of landscape stones to replace one made of railroad ties at the roadside.

Pictures of the existing structures on the property were distributed to Board Members. The property had a steep embankment on the south side of the shoreline which flattened out to the north towards an existing docking system and lakeshore seating area with privacy shrubbery. The owner stated he had discussed the project with his neighbor to the south who was in favor of the project and that a structure at their shoreline was located the same distance from the shared property line existing between both parcels.

Chair Parshall invited discussion from the board.

Discussion developed between applicant and Board Members, and options were discussed for decreasing the number and extent of the variances requested.

Without further comment from the public, Chair Parshall closed the public hearing at 7:26pm.

A motion to table the determination of the application until next month was made by Harper and seconded by Grant in order to allow all Board Members an opportunity to visit the site and also allow the full Board to be in attendance, since one member was currently out of town. The motion so carried with all Board Members in attendance voting in favor. None opposed.

Chair Parshall invited review of the draft minutes from October 7th. A motion to accept the minutes as drafted was made by Board Member DeMallie with a second from Harper. The motion so carried with all Board Members present voting in favor. None opposed.

Chair Parshall entertained a motion to adjourn. The motion by DeMallie was seconded by Harper. The motion so carried with all Board Members present voting in favor.

Meeting adjournment: 7:30pm
Draft Minutes submitted by L. Lersch
Minutes approved on December 16, 2021