

Minutes of the Town of Essex Zoning Board of Appeals  
Regular Meeting and Organizational Meeting  
February 20, 2019 7PM Essex Town Hall

The meeting was called to order at 7:05 by Board Chair, Kevin DeLaughter.

Attendance was taken: Board members Kevin DeLaughter, Lauren Murphy and Richard Teitelbaum (via videoconference) were present. Guests were Kevin Hall, Surveyor, representing applicants Bruce and Joan Stephan, and Jani Spurgeon.

Chairman DeLaughter then opened the 2019 organizational meeting. The board agreed to have meetings at 7pm on the third Wednesday of the month, as needed during the year. Lauren Murphy agreed to take meeting minutes for 2019. As there was no other business, Kevin made a motion to close the organizational meeting. All voted in favor of the motion.

The Chairman then called the regular ZBA meeting to order. There was one matter of new business on the agenda, a request for an area variance from Joan and Bruce Stephans at #2260 Lakeshore Road in the Essex Hamlet. Chairman DeLaughter stated that the application is complete. The requested variance is a Type II SEQR action pursuant to items 16 and 17 of the Type II list, therefore no environmental assessment is required. After reviewing the application materials, the board asked the Stephans' representative, Kevin Hall, to present the project and give some history of the accessory barn building that was at the heart of the area variance issue. The Stephans have tentatively secured an additional building right in order to convert the barn from an accessory structure to a primary residence. They came to the ZBA to get a variance to subdivide their property and create a separate lot for that new primary residence. The proposed subdivision would create two lots each about  $\frac{1}{4}$  acre in area, where  $\frac{1}{2}$  acre is required. The rear lot would have no street frontage, whereas a minimum of 50 feet is required.

A number of questions were directed to Mr. Hall about the past history of the project, the location of the high water mark in relation to the accessory barn building, and the overall benefit to the town/hamlet of creating two smaller, non-conforming lots out of one conforming lot. One board member asked whether the zoning could allow two principal buildings to exist on one lot, instead of having to create two smaller lots, one for each of the two principal buildings. Mr. Hall said that the owner had no intention of selling off the barn residence in the near future and wanted to keep both buildings and would most likely rather NOT subdivide the property. The board directed Mr. Hall to meet with the Town's zoning officer and get a determination on whether it was possible to have two principal residences on a single lot if the owner had two building rights.

The Board scheduled a public hearing for March 20, 2019 at 7PM on a motion by member Murphy, seconded by member Teitelbaum, pending the Zoning Officer's determination and the applicant's decision on how to proceed.

The meeting was adjourned at 7:45 PM

Respectfully submitted,

Lauren Murphy  
Acting Secretary