TOWN OF STANFORD

ZONING BOARD OF APPEALS

MEETING OF 11-10-21

PRESENT: Kathryn Zeyher, Chair

James Myers III

Michael Dillinger

ABSENT: Michelle Inzeo

Patrick Tierney

CARPENTER AREA VARIANCE: Mr. John Carpenter of 88 Layton Road is in the process of renovating their house. The front porch has been torn down and he is requesting an area variance to replace the porch. Stated it would amount to a 43 foot front variance. The proposed porch is similar to the porch that was taken down.

Upon reviewing the application Mr. Myers stated that there is a need for only a 37 foot variance instead of a 43 foot variance. Applicant was advised to note this on the application.

Motion was made by Mr. Myers to hold a public hearing on December 8, 2021 and seconded by Mr. Dillinger. All in favor: Unanimous.

Board was given permission by Mr. Carpenter to view this project.

STRAUSS/LEVENICK USE VARIANCE: Ms. Strauss reviewed her application to the Board and the audience. The building is zone commercial. It requires a use variance because of the theater. Motion was made by Mr. Myers to open the public hearing. Seconded by Mr. Dillinger. All in favor: Unanimous.

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Brook Slezak of 6198 Route 82 questioned regarding the capacity of the building. She questioned why the Town doesn’t want didn’t want it in the rural center. Ms. Zeyher stated the Board did not know, as the law was approved in l980.

Stephen Horowitz, 6187 Route 82. Does not object to the project but has concerns with the type of music. Has concerns regarding the prospect of having Rock concerts. Ms. Zeyher stated that Board only addresses the use variance. Otherwise his concerns should be addressed at the Planning Board public hearing.

Gary Rosenberg, 106 Cold Spring Road is in favor of this project.

Martina Deignan, 122 Shelly Hill Road is in favor of this project.

Ms. Zeyher read the letters regarding this project:

Patricia Wineapple is in favor.

Wendy Burton is in favor.

Carola Friedman is in favor.

Town of Stanford Planning Board is endorsing a positive recommendation.

Motion made by Mr. Dillinger to close the public hearing. Seconded by Mr. Myers. All in favor: Unanimous.

**RESOLUTION GRANTING A VARIANCE**

Resolution offered by the Zoning Board of Appeals Chair, Kathleen Zeyher.

**WHEREAS** the application for a variance will not be detrimental to nearby properties as it is a commercial space presently and

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**WHEREAS** no undesirable change will occur in the character of the neighborhood as it is zoned commercial and

**WHEREAS** there are no alternative (feasible) methods available to the applicant as it is a preexisting structure and

**WHEREAS** The variance would cause no effect and/or impact. It is presently zoned for commercial. NOTE: Comprehensive plan is considering expanding the Rural Center to this property and

**WHEREAS** the variance requested is not a result of a “self-created hardship”.

**NOW THEREFORE BE IT RESOLVED THAT THE** Zoning Board of Appeals grants the request for a use variance. Motion made by James Myers to approve the use variance, seconded by Michael Dillinger. All in favor: Unanimous.

Ms. Zeyher stated that she has read the comprehensive plan. Discussion took place. Mr. Zeyher will send a memo to Ms. Burton.

Motion made by Michael Dillinger to adjourn, seconded by Mr. Myers. All in favor: Unanimous

Respectfully submitted by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mary Dalton, Secretary

Approved by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathryn Zeyher, Chair.

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