

# **Town of Starkey Zoning Board of Appeals**

**40 Seneca Street, Dundee, NY 14837**

The Town of Starkey Zoning Board of Appeals held a public hearing on Thursday February 16, 2023 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Eileen Rudaitis, Chairperson  
Terry Campbell  
Fred Shoemaker  
Doug Wills  
William Lawson - Alternate  
Harlan Fulkerson - excused

Members present:

Brian Shriver, Code Official  
George Lawson, Town Supervisor  
Brian Snyder, Charlene Stanton  
Jane Lawson, Jeffrey Miller  
Ray & Ginny Brewer  
Richard & Janet Ahola  
Peg & John Socha  
Sean & Christa Socha  
Deborah & Randall Beach  
John & Chris Wagner  
Tom Schomer & Maureen Richardson  
Alan Dunmore, Marie Krause  
Dan (?), Sam Karen (sp)  
Shannon Scott, Edward Worth

Terry Campbell, Acting Chairperson opened the meeting at 7:30pm. Terry called for a motion to approve the September 2022 minutes, Eileen motioned to approve, seconded by Fred, motion carried 5-0.

2022-ZBA-5 Sean & Christa Socha, 90 Starkey Point Rd Dundee, NY 14837 request an Area Variance for a shed on their property on Lakeview Road, Dundee, NY 14837. George spoke to the audience about the original errors that were made with this application and to treat this application as a new application. John Wagner asked why wasn't this approved in a proper way? The shed is too big, it affects the turn around area, he is concerned about the size and the water flow. Brian Shriver, Code Official said he made several errors regarding the addresses to the neighbors originally, etc. The board was aware of the location of the proposed shed, John Wagner asked why Sean did not tell the neighbors his plans, Sean said he followed what the board and Brian had told him. Ray Brewer noted that there is no permanent structure allowed in the area. George noted that the Town does not enforce deed/homeowner association restrictions. Fred Shoemaker noted 1) lot size - 2154 sq.ft., 2) need a variance if shed is more than 100 sq. ft., 3) lot coverage - no more than 10%, 4) Height of building no more than 14',

need a variance. The lot could not support this; it needs a variance, the shed is 2 ½ x's the allowed size -it is 36.3 sq.ft. too big. The applicant will need a building size, over permitted height variance. Woman asked about the easement part of the property. Brian Snyder - neighbor to the north of the Socha property stated that the "life size model" has an elevated platform does not help, he built a retaining wall, you can't make the turn to the north, the placement of the building causes water run-off to drain to the north and south properties. Tom Schomer wants the letters read that were sent to the board. Fred responded that every board member has a copy of the letters sent in. Sam Karen (sp), Plum Point area said he has gone by the property by land and water and it looks good. Ray Brewer asked what happens if this is not approved. Fred said that the building would have to be removed, he could apply for a permit for the proper size. Marie Krouse we are the 3rd property to the North, we went for a variance for our shed, and was held to the rules. What he is asking for is way beyond what others were allowed to have for sheds. The building affects water flow. Doug Wills, we are looking at the variance. Brian Snyder said the application was vague - it is a burden to the neighbors, IF the variances are approved Brian Shriver to make sure it is everything is to variance permits/building code. Eileen noted that the shed should be 5 ft. from the property lines, most sheds that are placed by the lake are custom built, i.e. "Woodtex". Fred noted that the Zoning Regulations came to be in 1970 and have been updated and changed many times since then. Randy Beach, Red Cedar Lane, - sheds can be moved, no footers/pole barn. Sean said there is drainage under the shed, he had to dig down 2 ½ ft. because of the height. Ginny Brewer asked if the building was inspected as it was constructed? Brian Shriver said he was there a couple of times. The ZBA has to decide what to do. Ray Brewer asked if there is a stop work order on this project, Brian Shriver said no, there is no reason for one the building is finished. Someone asked Sean if there was a loft, Sean said no. Jane asked why would you look at a building if this supposed to be a new application. Randy noted that diverting water runoff onto neighboring property is against NYS law. Charlene Stanton, property to the north, noted that water coming down the hill is washing the land away, not going into his "pipes". Doug Wills motioned to leave this public hearing open for one month so that the members can go look at the site, seconded by Bill Lawson, motion carried 5-0. Terry called for a motion to adjourn, Eileen motioned to adjourn, seconded by Bill, motion carried 5-0.

Respectfully submitted,

Peggy Carr, Clerk  
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