

TOWN OF NEWSTEAD - ZONING BOARD MINUTES
Newstead Town Hall, 5 Clarence Ctr. Rd, Akron, NY
May 28, 2020

MEMBERS

PRESENT: Bill Kaufman (WK) Chairperson
Adam Burg (AB)
John Klodzinski (JK)
Vickie Lombard (VL)
Fred Pask (FP)
Max Brady (MB), Alternate
Other: Dave Miller, Zoning Officer,
Julie Brady, Recording Secretary
Absent: Mike Mutter (MM), Alternate

APPROVED 9/3/2020

6:00pm – Work session; the board reviewed the documents regarding the request at hand.

6:15pm – Fred P. opened the meeting by leading the pledge to the flag. Bill K. reviewed the procedure and criteria for an area variance.

The public hearing was opened at 6:18 pm. Julie B. read the legal notice as follows:

Property Address: 12473 Swift Mills Rd., Akron, NY
Zoning District: Rural Agricultural; Flood zone AE
Owner: Dennis & Eunice Hudomint
SBL#: 21.00-2-37

Requesting a 2 feet area variance of the finished floor elevation to construct an accessory structure required to be 2 feet higher in the AE flood zone following code in the Flood Damage Prevention. Town Code varied: 202-20B and 202-17 A. 1

Julie B. stated there were no other written comments submitted besides the Town Attorney, Brendan Neill verifying the need for a variance.

Dennis Hudomint, 12473 Swift Mills Rd., owner/applicant showed photos to the board of his property/flood lines. Dennis showed the highest point the water has ever flooded. He explained that the new bridge on Swift Mills by his house has helped this situation immensely. In the late 70s, Dennis had received a variance to build a garage. This barn will be for private use (not commercial).

Bill K. asked three times if there were any other comments. Hearing none, John K. motioned to close the public hearing, seconded by Adam B. All Ayes, No Nays, public hearing was closed at 6:23pm.

The board and Dennis H. discussed the history of this location and his other buildings.

David M. suggested Dennis H. look into getting a LOMA from FEMA.

The vote for an area variance follows:

1. Can benefit be achieved by other means feasible to applicant? (PASS)
AB – No; JK – No; FP – No; VL – No; WK – No
2. Cause undesirable change in neighborhood character or nearby properties? (PASS)
AB – No; JK – No; FP – No; VL – No; WK – No
3. Is request substantial? (PASS)
AB – No; JK – No; FP – No; VL – No; WK – Yes
4. Will request have adverse physical or environmental effects? (PASS)
AB – No; JK – No; FP – No; VL – No; WK – No
5. Is alleged difficulty self-created? (PASS)
AB – No; JK – No; FP – No; VL – No; WK – No

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A motion was made by Fred P. to approve the variance request. Seconded by John K. Hearing all ayes, no nays, the variance was passed unanimously.

A motion was made by Adam B. to approve the minutes from February 20, 2020, seconded by Fred P. All Ayes, No Nays

A motion was made at 6:35pm by Fred P. to adjourn the meeting. Seconded by John K., All Ayes, No Nays.

Meeting adjourned

Respectfully submitted,
Julie Brady, Recording Clerk