

**TOWN OF NEW BALTIMORE ZONING BOARD OF APPEALS**  
**Regular Monthly Meeting**  
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The meeting was called to order at 7:30 p.m. by Chair Pat Linger, followed by the Pledge of Allegiance. Other Board Members in attendance were Craig Albano, Mike Meredith, Jeff Carlson and Denise Taber.

**MINUTES** – None available for approval.

**CORRESPONDENCE**

1. Variance Application packet for 12498 U.S. Route 9W, LLC (Better known as New Baltimore Family Dentistry).
2. Copy of 9/19/2019 letter from Planning Board Chair Robert Van Etten to Kevin Conklin at Conklin Architecture advising that the Planning Board had denied the Site Plan Application for 12498 U.S. Route 9W and referring the applicant to the Zoning Board of Appeals for an Area Variance.

**OLD BUSINESS** - None

**NEW BUSINESS**

**12498 U.S. Route 9W, LLC (New Baltimore Family Dentistry) – Variance Application**

Present on behalf of the property owner was Michael Bonadona from Conklin Architecture. It was noted the required letter of authorization to represent is on file.

The Board has before it application for an area lot cover variance for property at 12498 U.S. Route 9W. Tax Map #40.00-4-2.12. The addition of 13 additional parking spaces will bring the property over the allowed 30% lot coverage per Town Code. It will bring them to 38% lot coverage. Practical difficulty that would arise if variance is not granted is they would not have room to park all the cars. It will not affect the character of the District. Application is signed by the architect.

Copies of Site Plan reflecting the proposed additional parking were laid out. Mr. Linger questioned what do you have for us, what are you looking to do, what is done already? An overview was requested of the applicant. Mr. Bonadona advised the owner of the dentistry is looking to expand his business and create new examining rooms in the building basement. With that expansion, there is the need to add more parking spaces for the additional patients on site at one time. The new parking spaces are outlined by the gray areas. There will be an auxiliary parking area with 11 new spaces as pointed out and the addition of two more handicap parking spaces as pointed out. In addition, there will be the need to pave an area of the gravel parking lot to accommodate the handicap spaces.

It was noted that the parking lot that is behind the building now is completely gravel. It was questioned if all that was to be paved. Mr. Bonadona explained just the shaded area, as shown on Site Plan, to cover the handicap spots. It is intended for the rest to remain gravel as well as the other spots as pointed out. Mr. Linger responded that that answered one of the questions he had. It was further noted that this is the expansion of an existing business which will result in need for additional parking spaces.

One of the questions Mr. Linger had prior to Mr. Bonadona's presentation was, was there a way to not pave some of this because when you figure in that 30% that the Town Code says; the reason for that is your stormwater and all the impervious cover you put over ground whether it is a roof, a sidewalk, concrete, blacktop, things that water does not go through, that all makes storm water and that all has to go somewhere. By doing gravel, that mitigates a lot of extra stormwater run-off just from doing this project which is the extra 8% that you have over the coverage there.

That is good information. If you were paving the whole thing, that would be one thing that I would ask that you do not do. It does not appear that that is going to be a huge issue. Then you have the other building that is going to go behind and a bit to the north of this site. They have their own stormwater plan. They are contiguous properties, so it would all come together at some point when it rains.

Mr. Linger asked if anyone had any questions. It was noted that it appeared to be pretty straight forward. and further noted that there is a bit of an elevation change but not huge. The lot that is lower was pointed out. It is quite straight forward as was the denial by the Planning Board because it is over the 30%. The Board had no further questions.

With regard to the Short EAF, this will be gone through at next month's meeting. It was noted that there was a little bit of environmental consideration there since there are northern harrier and short-ear owls

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down in that area per mapper summary report submitted with the EAF. It was not felt this project would have much bearing on that environmental concern but it will be addressed while the public is in attendance.

Public Hearing was scheduled for 7:30, November 6. Instruction sheet for certified notification of the surrounding property owners was provided as well as a list of the property owners. It was noted that would be the time for the public to comment and ask questions as well as for the Board to do likewise if they have thought of additional comments and/or questions.

**ADJOURNMENT**

At 7:47 p.m., it was moved by Carlson and seconded by Taber to adjourn the meeting.

Ayes: 5    Nays: 0    Abstained: 0    Absent: 0

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