

Town of Urbana Zoning Board  
Public and Regular Meeting  
October 13, 2022  
Minutes

The Town of Urbana Zoning Board of Appeals held their regular meeting on Thursday, October 13, 2022 at 5:30 pm., in the Urbana Town Hall, located at 8014 Pleasant Valley Road, Bath, New York.

|                       |                 |                     |        |
|-----------------------|-----------------|---------------------|--------|
| <b>Board Present:</b> | Scott Burg      | Chairman            |        |
|                       | Bill Fries      | Board Member        |        |
|                       | Nichole Dresser | Board Member        |        |
|                       | Steve Catherman | Board Member        |        |
|                       | Thomas Cole     | Board Member        | Absent |
|                       | Penny Wells     | Recording Secretary |        |

**Public Present:** James and Holly Gleason

On a motion to accept September 8, 2022 Minutes by Nichole Dresser and seconded by Bill Fries, all voting AYE to accept the following roll call Vote:

|                 |     |        |
|-----------------|-----|--------|
| Scott Burg      | AYE |        |
| Bill Fries      | AYE |        |
| Nichole Dresser | AYE |        |
| Steve Catherman | AYE |        |
| Thomas Cole     | AYE | Absent |

Public Meeting was called to order at 5:30 p.m. by Chairman Scott Burg.

**2022-080** – Area Variance submitted by James and Holly Gleason, 10476 West Lake Road – Town of Urbana

Applicants seek approval for a front yard setback of 13 ft, the required front yard setback is 15 ft.

Applicants also seek approval for a side yard setback to 9 ft 9 inches (structure is currently at 11 ft 3 inches) which is 3 inches from code requirements of 10 ft, and a front yard set back of 13 ft from requires 15 ft.

Type two SEQR complete

**Public Comments:**

James Gleason, install septic tank to replace holding tank which will be gravel feed to the tank for toilet, kitchen-bathroom sink and shower. Alarms for septic tank. Engineer Jody.

Holly Gleason – I Will have running water for the first time to the toilet.

Close Public Hearing at 5:40 PM

Open Regular Meeting called to order at 5:40 p.m. by Chairman Scott Burg

**Board Comments:**

2022-080

1000 gallon holding tank

1 ft side yard = 10%

2 ft front yard = 13%

On a motion to approve the area variances requested by the Gleason’s of a side yard setback variance of 3 inches off code to 9 ft 9 inches and front yard setback for 13 feet from the required 15 foot – as long as there is an approval from watershed affiliate KWIC as to the design and location of the holding tank.

|                 |     |        |
|-----------------|-----|--------|
| Scott Burg      | AYE |        |
| Bill Fries      | AYE |        |
| Nichole Dresser | AYE |        |
| Steve Catherman | AYE |        |
| Thomas Cole     | AYE | Absent |

**OLD BUSINESS:** None

**NEW BUSINESS:**

**\*Zoning Board of Appeals - Area Variance Findings & Decision**

**FACTORS CONSIDERED:**

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties \_\_\_YES \_\_\_X\_\_\_NO  
Reasons: No undesirable change in the character of neighbor.
2. Whether benefit sought by applicant can be achieved by a **feasible alternative** to the variance \_\_\_YES\_\_\_X\_\_\_NO

Reasons: For applicant to install new holding tank for septic system, deck landings need to be moved to allow proper location of holding tank.

3. Whether the requested variance is substantial:  YES  NO

Reasons: 11-foot variance in a required 15-foot setback is substantial 73% variable.

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood:  YES  NO

Reasons: No adverse impact to physical or environmental conditions of the surrounding neighborhood.

5. Whether the alleged difficulty was self-created:  YES  NO

Reasons: Pre-existing non-conforming lot. Applicant could remain with the current septic system which is not environmentally adequate or convenient. The new system allows for flush toilets, shower and sink which will discharge to the KWIC approval holding tank of 1000 gallons.

**Determination of ZBA based on the above factors:**

The benefit to the applicant DOES outweigh the detriment to the neighborhood or community.

Reasons: Minimum variances required to meet needs for holding tank.

The ZBA further finds that a variance of 1 foot from section 105-16RC 1b and 2 foot from section 105-16R C 1 d1 of the Zoning Code is the Minimum variance that should be granted in order to preserve and protect the character of the neighborhood and health, safety and welfare of the community.

Conditions: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community.

Condition No. 1: KWIC approval of holding tank required

Condition No. 2: NONE

On a Motion to Accept the Variance Findings and Decisions for 2022-080 made by Bill Fries and seconded by Steve Catherman, all voting AYE to accept the following roll call VOTE:

|                 |     |        |
|-----------------|-----|--------|
| Scott Burg      | AYE |        |
| Bill Fries      | AYE |        |
| Nichole Dresser | AYE |        |
| Steve Catherman | AYE |        |
| Thomas Cole     | AYE | Absent |

On a motion to adjourn by Bill Fries and seconded by Nichole Dresser and carried all voting Aye

|                 |     |        |
|-----------------|-----|--------|
| Scott Burg      | AYE |        |
| Bill Fries      | AYE |        |
| Nicole Dresser  | AYE |        |
| Steve Catherman | AYE |        |
| Thomas Cole     | AYE | Absent |

Adjourned 5:50 PM

Respectfully Submitted,  
Penny Wells  
Recording Secretary