

MINUTES OF VILLAGE OF MANCHESTER ZONING BOARD OF APPEALS
PUBLIC HEARING AND MEETING - 7:00PM.

Present: Michael Migliaccio- Chairman
Bernard Commisso
John Yacuzzo
Donald Miller

Absent:

Others: Samantha and Francis Stagliano

Recording: Nichole Ruggles, Deputy Clerk/Treasurer

PLEASE TAKE NOTICE: Notice is Hereby Given that pursuant to Article VI, Section 100-21, of the Village of Manchester Zoning Ordinance, a Public Hearing before the Zoning Board of Appeals of the Village of Manchester, New York will be held on Wednesday, May 1, 2023 at 7:00 PM in the Village Hall, 8 Clifton Street, Manchester NY. Said hearing is request of Samantha Stagliano at 112 Merrick Avenue, Manchester for an area variance to build a 28.6.5 ft by 18 ft/12ft., 400 square foot deck for residential use that does not meet village zoning Schedule 1 of the Village of Manchester Zoning Ordinance that states the side yard setback to be 15 feet. Applicant would have 8.1 feet from the North side yard line and 12 feet from the South side yard line.

Chairman Michael Migliaccio called the public hearing to order at 7:00 pm. Seconded by John Yacuzzo.

The board called for a moment of silence for Vincent DelGatto the zoning board member who recently passed. The members of this board as well as the community will miss Vincent.

At this time Mr. Migliaccio discussed that when it's time the public will have 3 min to talk, this doesn't include the applicant or Zoning officers. Michael then introduced the board members and read the public notice that was published in the paper on April 11, 2023.

The Board reviewed Mrs Stagliano's application at this time, and an introduction of Mrs. & Mr. Stagliano.

Applicant Samantha and Francis discussed the plan for the re-build of the deck. We will demo the old deck first because it's falling apart and is unsafe for our children.

Michael Migliaccio: asked if any parties would like to speak, no one was in attendance.

Mike Migliaccio: I saw the property. Can you discuss the size of the deck?

Francis: The size will be 28.6.5 by 18ft/12ft, with an cover. It will be the full length of our home.

Donald Miller: the deck will not go into the drive way?

Francis: No, it's exactly the lengths of the house. It won't go over that size.

Donald Miller: What about the shed on the property?

Samantha: We moved the shed from the original spot to the back corner of our property. We have good relation with our neighbors and they have been supportive with what we're doing with the house.

Mike Migliaccio: How about the other side neighbor?

Francis: no issues for any of our neighbors, we have spoken to all of them about what's going on and reminded them about the meeting. They are in support of us making the house look better.

Mike Migliaccio: Are you building it yourself?

Mr. and Mrs. Stagliano: Yes we both work for construction.

John Yacuzzo: What kind of roof are you doing? And what are the dimensions?

Francis: 16'12' wide and it's not very high. It won't go above our windows.

Jon Yacuzzo: so the roof is about 1/2 of the deck?

Francis: Yes, correct.

Bernie Commisso: Why was this original application denied?

Donald Miller: It's a formality; we have to review the zoning regulations because it doesn't meet the code.

Mike Migliaccio read to the board the area variance questions:

Area Variance (1) to build a deck 28.6.5 ft by 18 ft/12ft, 400 square foot.

Will an undesirable change be produced in the character of the neighborhood, or a detriment to nearby properties be created by granting this area variance? **NO**

1. Can the benefit sought by the applicant be achieved by some method other which will be feasible for the applicant to pursue but not require a variance? **NO**
2. Is the requested variance substantial? **NO**
3. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? **NO**
4. Is the alleged hardship self-created? **NO**

Chairman Migliaccio asked three times if there are any further questions or comments. No other questions or comments from the board members or the applicant.

Mike Migliaccio closed the public Hearing at 7:13pm; Seconded by Donald Miller.

Mike Migliaccio called the meeting to order at 7:13pm; Seconded by John Yacuzzo.

Bernard Commisso made a motion to approve the area variance to build a new deck located at 112 Merrick Avenue. Motion seconded by John Yacuzzo.

The above was put to roll call vote, which resulted as follows:

Donnie Miller	Voting	"Aye"
Bernard Commisso	Voting	"Aye"
John Yacuzzo	Voting	"Aye"
Michael Migliaccio	Voting	"Aye"

A motion was made by John Yacuzzo to approve the minutes from the last meeting which took place on November 1, 2023. The motion was seconded by Bernard Commisso. All voted "Aye." Motion carried.

Michael Migliaccio called the meeting to close at 7:16pm. Motion first was made by John Yacuzzo, Seconded by Donald Miller to close the meeting.

Respectfully submitted,

ZBA Secretary,
Deputy Clerk/Treasurer, Nichole Ruggles