

MEETING OF THE TOWN OF OWEGO ZONING BOARD OF APPEALS

Present: Chairman Gary Phelps, David Kresge, Jack Legg, Paula Wilcox (alternate)

Excused: Dan Myers & Janet Brown

Others Present: Bill Carrigg

Chairman Phelps called the meeting to order at 7:00 pm. The minutes from the regular Zoning Board of Appeals meeting held September 5, 2024 were considered. Mr. Legg made a motion to approve the minutes as written, seconded by Ms. Wilcox. All in favor. Carried

Appeal No. 2154

The Board visited Appeal No. 2154, a request by George Alexopoulos for an Area Variance for a front porch at 1046 Marshland Road, Apalachin.

Appearances: George Alexopoulos, Applicant

Exhibits: Application for an Area Variance dated August 14, 2024

Mr. Carrigg introduced the project stating that Mr. Alexopoulos is asking for a variance of 4ft, making the front yard setback 26ft, stating the setback requirement for Residential A zoning is 30ft. Mr. Carrigg stated the 7 questions on the application were answered and neighbors were notified of this project.

Chairman Phelps opened up the public portion of the meeting for comment.

Ken Williams of 906 Marshland Road, Apalachin, inquired on the scope of the project. Mr. Alexopoulos explained that he would like to put a front porch on his house that will extend 8ft out, create a gravel parking pad and a u-shaped driveway. Mr. Alexopoulos stated that the grade will not be a plateau, wants to keep as level as possible for a usable driveway and will gradually slope back down.

The board provided Mr. Williams a copy of the site plan proposed by Mr. Alexopoulos.

Mr. Williams inquired if there will be a retaining wall by the propane tank. Mr. Alexopoulos responded yes, partially 1 course bin blocks 2x2x6 partially buried closest to the house then will be more exposed as the wrap around the propane tank and that the leach field will be undisturbed.

A brief discussion was had regarding that the grade will be raised.

Mr. Williams inquired about a garage in the future. Mr. Alexopoulos replied that there will not be a garage but possibly a carport. Mr. Alexopoulos explained he is just putting in a gravel parking pad that will not be paved.

A brief discussion was had regarding that setbacks still apply if a carport is built and that this variance will not cover that.

Mr. Alexopoulos stated that the parking pad is the priority at this time.

Mr. Williams inquired if there were stairs on the front of the house currently. Mr. Alexopoulos replied yes, there is a stoop and that it will be 1ft further out than the existing stoop.

Chairman Phelps closed the public portion of the meeting and opened the meeting up for comments or questions from the board.

Mr. Legg asked how old the house was. Mr. Alexopoulos replied 1836.

Ms. Wilcox asked if the front stoop would be torn down and rebuilt. Mr. Alexopoulos replied no, not tearing out just chipping down so a concrete pad could be poured. Mr. Alexopoulos stated there will be no decking just concrete.

Mr. Carrigg stated SEQR is Type II, no further action required.

Mr. Legg made a motion to approve Appeal No. 2154. Seconded by Mr. Kresge. All in favor. Carried.

Reference:

Appeal No. 2154 dated August 14, 2024

ACTION OF THE ZONING BOARD OF APPEALS of the Town of Owego, Owego Town Hall, 2354 State Route 434, Apalachin, New York:

To: George Alexopoulos, 1046 Marshland Road Apalachin NY 13732

At a meeting of the Zoning Board of Appeals held the 3rd day of October 2024, the above referenced appeal was considered and the Board by resolution GRANTED your request for an Area Variance pursuant to Chapter 125 of the Code of the Town of Owego.

The resolution adopted by the Board of Appeals follow, viz:

WHEREAS, a public hearing was held on the 3rd day of October 2024, on notice according to the law, at which George Alexopoulos appeared and gave testimony to questions put forth to him by this Board; and

WHEREAS, Mr. Alexopoulos desires to build a front porch at his home at 1046 Marshland Road, Apalachin, NY; and

NOW, THEREFORE, be it

RESOLVED, that the Board makes the following findings based on the entire record:

1. Applicant requested an Area Variance of 4 feet for the front yard creating a 26 foot setback to build a front porch at his home;
2. Property is located at 1046 Marshland Road Apalachin NY;
3. Property is situated in an Residential A(RA) zoning district;

And be it further

RESOLVED, the application for an Area Variance is hereby GRANTED.

Any and all other provisions of this Chapter not waived or modified by this decision are to be observed.

Appeal No. 2155

Mr. Carrigg introduced the project stating the request is for a grade improvement. Mr. Carrigg stated Tioga County Economic Development and Planning had no comment on the project. Mr. Carrigg stated this is an Unlisted SEQR. Mr. Carrigg read the following statement from part 3 of the SEQR, it has been determined, based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant and adverse environmental impacts.

Chairman Phelps opened up the public portion of the meeting for comment.

Mr. Williams inquired how much fill will be used as he doesn't want any more water to be discharged onto his property. Mr. Alexopoulos replied fill would be roughly 300 cubic yards in total to include, the front part of the property, the parking pad, the slope up to the driveway, the u-shaped driveway and to fill in the northeast corner.

A brief discussion was had regarding scope of the work including areas that will be gravel, a possible bin block retaining wall and that the water run-off will not change.

Mr. Williams stated he would like to recommend a soil and stabilizing fabric underneath the gravel, stating that would help permeate the water. Mr. Alexopoulos agreed.

Chairman Phelps closed the public portion of the meeting and opened the meeting up for comments or questions from the board.

Mr. Legg inquired if the run-off from the slope would go to the creek. Mr. Alexopoulos replied yes, the natural flow of the water would remain unchanged.

Chairman Phelps inquired on the type of fill that would be used. Mr. Alexopoulos replied the fill will be 4-, crusher run and gravel. Mr. Alexopoulos stated he is considering using a geo-grid product that would lock the gravel in and holds it back from washing away.

Mr. Carrigg stated that Katherine Alexopoulos owns the property and a letter was received from her giving permission for Mr. Alexopoulos to submit this request.

Chairman Phelps read the following:

Recommendation of Approval letter from the Town of Owego Planning Board.

Mr. Kresge made a motion to approve and accept the environmental assessment form/SEQR. Ms. Wilcox seconded. All in favor. Carried.

Ms. Wilcox made a motion to accept Appeal 2155 with the following condition:

1. Driveway fabric will be used for soil retention.

Seconded by Mr. Legg. All in favor. Carried.

Reference:

Appeal No. 2155 dated August 14, 2024

ACTION OF THE ZONING BOARD OF APPEALS of the Town of Owego, Owego Town Hall, 2354 State Route 434, Apalachin, New York:

To: George Alexopoulos, 1046 Marshland Road Apalachin NY 13732

At a meeting of the Zoning Board of Appeals held the 3rd day of October 2024, the above referenced appeal was considered and the Board by resolution GRANTED your request for a Special Use Permit pursuant to Chapter 125 of the Code of the Town of Owego.

The resolution adopted by the Board of Appeals follow, viz:

WHEREAS, a public hearing was held on the 3rd day of October 2024, on notice according to the law, at which George Alexopoulos appeared and gave testimony to questions put forth to him by this Board; and

WHEREAS, Mr. Alexopoulos desires to have a grade improvement at his home at 1046 Marshland Road, Apalachin, NY; and

WHEREAS, Mr. Alexopoulos will use driveway fabric for soil retention; and

NOW, THEREFORE, be it

RESOLVED, that the Board makes the following findings based on the entire record:

1. Applicant requested a Special Use Permit for a grade improvement at his home;
2. Property is located at 1046 Marshland Road Apalachin NY;
3. Property is situated in an Residential A(RA) zoning district;

And be it further

RESOLVED, the application for a Special Use Permit is hereby GRANTED, subject to the following condition:

1. Mr. Alexopoulos will use driveway fabric for soil retention.

Any and all other provisions of this Chapter not waived or modified by this decision are to be observed.

With there being no further business, the meeting was adjourned at 7:20pm.

Respectfully Submitted,

Tina Tammaro, Secretary
Zoning Board of Appeals