

PUBLIC HEARINGS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Hartford, Oneida County, New York, will hold a Public Hearing at the New Hartford Public Library Meeting Room (rear entrance/downstairs), 2 Library Lane, New Hartford, New York on Monday, May 18, 2009 to commence at 6:30 P.M., or as soon thereafter as reached in the regular course of business, to address the following:

-The application of Mr. Nameer Haider (represented by Mr. Zain Haider) and Mr. Zain Haider is requesting the placement of two (2) driveway gates 8' in height each; one gate at the driveway entrance at 255 Higby Road, New Hartford (property owned by Nameer Haider) and the other at the driveway entrance at Upper Woods Road, New Hartford (property owned by Zain Haider). Zoning in this area is Low Density Residential which only allows for a 4' high fence in any front yard, therefore, the need for two (2) height Area Variances of 4' each. Tax Map #'s 330.017-1-56.2 (255 Higby Road) and 330.017-1-56.1 (Upper Woods Road); Zoning: Low Density Residential. (THIS APPLICATION WAS TABLED UNTIL THE MAY 18, 2009 MEETING).

-The application of Mr. Matthew Bohn, 25 Bolton Road, New Hartford, New York, who is requesting to construct a 10' x 12' bath & laundry room onto the rear of his existing residence. Zoning in this area is Low Density Residential, which requires a 15' side-yard setback. Applicant is seeking a 5' right side-yard setback Area Variance. Tax Map #339.006-2-59; Lot Size: 60' x 140'; Zoning: Low Density Residential.

-The application of Mr. Bernard Enea, 4776 Commercial Drive, New Hartford, New York, who is requesting a 4' x 8' free standing sign (using the existing framework) on that site currently known as Pasta To Go. Zoning in this area is Retail Business 1, which does not allow more than one free standing sign per site. Applicant is seeking a quantity Area Variance for one more freestanding sign. Tax Map #317.013-3-18.1; Zoning: Retail Business 1.

-The application of Mrs. Anita Marchio, 24 Wadsworth Road, New Hartford, New York, who is requesting to install a 6' fence in her front yard, which is a violation of the Town of New Hartford Code 118-59D3. Therefore, the applicant is seeking an Area Variance for this fence in her front yard. Tax Map #340.008-2-54; Lot Size: 150' x 135'; Zoning: Low Density Residential.

-The application of Mr. Mark Santomasino, 233 Higby Road, Utica, New York (Town of New Hartford). Mr. Santomasino has erected a 6' high fence in his front yard (corner lot of Higby Road and Old Orchard Road). He is seeking a 2' Area Variance for the overall height of the fence. Tax Map #329.020-8-43; Lot Size: 100' x 160'; Zoning: Low Density Residential.

-The application of BG New Hartford, LLC c/o Diversified Developers Realty who is requesting a three-lot subdivision for Consumer Square, Commercial Drive, New Hartford, New York; map dated April 9, 2009 by Snyder Engineering & Land Surveying; Tax ID #317.013-3-22; 317.013-3-23; 317.013-3-23.61; 317.013-3-23.62. Zoning: Retail Business 1.

The referenced property is a shopping center. For zoning purposes, all proposed lots in the proposed subdivision are being reviewed as shopping center uses due to the fact access to all lots is through the shopping center and the entire project was originally reviewed as a single entity.

The following conditions warrant Area Variances:

**-Lot 1: minimum required lot frontage 200' - actual frontage 0
requested Area Variance 200' frontage**

**-Lot 1: maximum permitted lot coverage 66% - actual coverage 83%
requested Area Variance 17% over maximum allowed lot coverage**

**-Lot 3: minimum required lot size 60,000 sq ft. - actual 48,785 sq. ft
requested 11,215 sq. ft. Area Variance on lot size**

**-Lot 3: minimum required lot frontage required 200' - actual 156'
requested 44' Area Variance for lot frontage**

**-Lot 3: maximum permitted lot coverage 66% - actual coverage 72%
requested Area Variance 6% over maximum allowed lot coverage**

-The application of Mr. Richard Carlson for property at 3523 Mohawk Street, Sauquoit, New York (Town of New Hartford), which Mr. Carlson is proposing to purchase. This property is zoned Residential/Agricultural 2, which requires ten (10) acres for a farm and to have horses. Applicant would like to keep horses on this property which has 6.68 acres, therefore, Mr. Carlson is seeking a 3.32 acre Area Variance. Tax Map #350.000-1-46.1; Lot Size: 6.68 Acres; Zoning: Residential/Agricultural 2.

Randy Bogar, Chairman

Zoning Board of Appeals

Dated: May 8, 2009