



Memorandum

To: Jeff Fern, Chairman
Cc: ZBA members, Town Clerk, Town Attorney,
From: Planning Department
Subject: Area variance 438 Lake Road, Tax Parcel ID # 49.-1-30.24
Date: September 30, 2019

Matt Haney of Carina Construction, as agent for Lori Hill and Carolyn Chow, landowners at 438 Lake Road, has applied for an area variance due to construction of a house within a building setback from Lake Road. The building setback is established by a line on the plat labeled "Consevation Easement" and is explained by the "Protective Covenants, Easements, and Restrictions" #11 printed on the plat. The purpose of this setback is to protect the viewshed.

This note #11 is repeated in the deed for the property (Lot 4), see attachment, where it is more easily read. It is a deed restriction established under Town of Dryden Subdivision Law Section 900 C. 2. b. and there is no easement document associated with this. The plat shows this line at 298 ft from the centerline of Lake Road. An as-built for the new home built on Lot 4 shows that the home lies 242 ft from the centerline. Therefore, the applicant is requesting 56 ft of relief from this setback.

SEQR, County Review, Ag & Market

- The granting of individual setback and lot line variances are Type II exempt actions (SEQR - 617.5c12).
- Tompkins County Planning GML 239 review is not required.

Department Comments/Recommendations

A public hearing is scheduled for Tuesday, October 8, 2019, at 6:15 PM