

Town of New Baltimore Zoning Board of Appeals

Monthly Meeting Minutes

3809 County Route 51 Hannacroix, NY 12087

May 6, 2026

7 PM

Present: Brad Jourdin, Sam Anderson, Craig Albano, Mark Peckham, Jean Horn

Absent: None

Pledge of Allegiance

Public Hearing: Charles Rappa Variance Applications

Chairman Jourdin opened the duly noticed Public Hearing for the Area Variance Applications submitted by Charles Rappa.

Motion to Open the Public Hearing for the Charles Rappa Variance Applications

Made by Brad Jourdin, Seconded by Sam Anderson

Aye: 4 Nay: 0 Abstain: 1 Absent: 0

Motion carried

Board Member Mark Peckham announced his recusal from the application. He remained present but did not participate in voting on the matter.

The Clerk confirmed that all required adjacent property owner notifications had been sent and that all certified mail receipts and returned green cards had been received.

Chairman Jourdin read a letter submitted by an adjacent property owner regarding the Area Variance Application. The letter stated that the neighboring property owner had no objection to the structure and did not believe it created an undesirable change to the neighborhood, negatively impacted surrounding properties, or resulted in adverse environmental effects.

Mercedes Doretti, a second neighboring property owner addressed the Board and stated that she had no concerns regarding the existing structures on the property. Ms. Doretti noted that she had recently moved to the area and indicated that the structures had not created any issues or concerns for her.

Mr. Rappa provided the Board with a copy of an original property survey dated 2007 and discussed discrepancies between the original survey and a more recent survey submitted with the application. It was noted that the newer survey reflected different property line measurements and included the structures currently under review. Discussion followed regarding the location of the property line, an existing rock wall, and a fence installed by the neighboring property owner. Mr. Rappa stated that the newer survey appeared to shift the property line approximately five feet to the south compared to the original survey.

Board members acknowledged the differing survey information and agreed to rely upon the most recent survey for purposes of the application review, as it reflected the current structures on the property.

The Board continued to keep the Public Hearing open for several additional minutes to allow for any further public comment or attendance by neighboring property owners who had been notified of the hearing. No additional public comments were received.

Motion to Adjourn the Public Hearing for the Charles Rappa Variance Applications

Made by Mark Peckham, Seconded by Craig Albano

Aye: 4 Nay: 0 Abstain: 1 Absent: 0

Motion carried

Regular Monthly Meeting

7:11PM

Chairman Jourdin continued with the Regular Monthly Meeting. He read aloud and filled out the Short Environmental Assessment Form for the Variance Application regarding Building One.

Motion to Accept the Charles Rappa Area Variance Application (Building 1)

Made by Brad Jourdin, Seconded by Craig Albano

Aye: 4 Nay: 0 Abstain: 1 Absent: 0

Motion carried

Chairman Jourdin then read aloud and filled out the Short Environmental Assessment Form for the Variance Application regarding Building Two.

Motion to Accept the Charles Rappa Area Variance Application (Building 2)

Made by Brad Jourdin, Seconded by Craig Albano

Aye: 4 Nay: 0 Abstain: 1 Absent:

Motion carried

Motion to Issue a Negative Declaration for the Purpose of SEQRA (Building 1)

Made by Brad Jourdin, Seconded by Craig Albano

Aye: 4 Nay: 0 Abstain: 1 Absent:

Motion carried

Motion to Issue a Negative Declaration for the Purpose of SEQRA (Building 2)

Made by Brad Jourdin, Seconded by Craig Albano

Aye: 4 Nay: 0 Abstain: 1 Absent: 0

Motion carried

RESOLUTION GRANTING AREA VARIANCE

WHEREAS, Charles Rappa, owner of parcel bearing Tax Map ID #7.12-1-12 located at 973 Route 144, submitted a Building Permit Application to the Building Department for an existing Greenhouse Accessory Structure located 10ft from the side property line; and

WHEREAS, the application was denied by the Code Enforcement Officer and the applicant was referred to the Zoning Board of Appeals, since pursuant to Chapter 112, Article V, Section 112-10, Dimensional Regulations of the Code of the Town of New Baltimore, the minimum side yard setback requirement is 15 feet; and

WHEREAS, Charles Rappa submitted the required Area Variance Application to the Zoning Board of Appeals on July 2, 2025, seeking relief from the 15-foot side yard setback requirement; and

WHEREAS, the Board reviewed updated survey maps showing the location of the existing building at the March 4, 2026, meeting; and

WHEREAS, a duly noticed Public Hearing was held on May 6, 2026, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, the Board reviewed Part 2 of the Short Environmental Assessment Form and issued a negative declaration for the purposes of SEQR; therefore be it

RESOLVED, that the Area Variance request for the accessory building located 10 from the side property line is hereby approved with no conditions.

Motion to Approve the Charles Rappa Area Variance (Building 1)

Made by Brad Jourdin, Seconded by Craig Albano

Aye: 4 Nay: 0 Abstain: 1 Absent: 0

Motion carried

RESOLUTION GRANTING AREA VARIANCE

WHEREAS, Charles Rappa, owner of a parcel bearing Tax Map ID #7.12-1-12 located at 973 Route 144, submitted a Building Permit Application to the Building Department for an existing Greenhouse Accessory Structure located 5 inches from the side property line; and

WHEREAS, the application was denied by the Code Enforcement Officer and the applicant was referred to the Zoning Board of Appeals, since pursuant to Chapter 112, Article V, Section 112-10, Dimensional Regulations of the Code of the Town of New Baltimore, the minimum side yard setback requirement is 15 feet; and

WHEREAS, Charles Rappa submitted the required Area Variance Application to the Zoning Board of Appeals on July 2, 2025, seeking relief from the 15-foot side yard setback requirement; and

WHEREAS, the Board reviewed updated survey map showing the location of the existing building at the March 4, 2026, meeting; and

WHEREAS, a duly noticed Public Hearing was held on May 6, 2026, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, the Board reviewed Part 2 of the Short Environmental Assessment Form and issued a negative declaration for the purposes of SEQR; therefore be it

RESOLVED, that the Area Variance request for the accessory building located 5 inches from the side property line is hereby approved with the following conditions:

- The structure shall not be enlarged, expanded, or further encroach into the required setback;
- The applicant shall ensure that no drainage or runoff from the structure adversely impacts adjoining properties; and
- All required permits and inspections shall be obtained and the structure brought into compliance with applicable building and safety codes.

Motion to Approve the Charles Rappa Area Variance (Building 2)

Made by Brad Jourdin, Seconded by Craig Albano

Aye: 3 Nay: 1 Abstain: 1 Absent: 0

Motion carried

The Clerk advised Mr. Rappa that the finalized resolution documents would be updated with the appropriate dates, motions, and approvals and would be available for pickup at Town Hall. Mr. Rappa indicated that he would retrieve the documents in person.

Chairman Jourdin encouraged Mr. Rappa to work closely with the Town and Code Enforcement Office regarding any future projects or permit questions to help avoid similar issues moving forward.

Motion to Approve the April 1, 2026, Monthly Meeting Minutes

Made by Sam Anderson, Seconded by Brad Jourdin

Aye: 5 Nay: 0 Abstain: 0 Absent: 0

Motion carried

Motion to Adjourn Meeting

Made by Sam Anderson, Seconded by Brad Jourdin

Aye: 5

Nay: 0

Abstain: 0

Absent: 0

Meeting Adjourned 7:25 pm.

DRAFT