ZONING BOARD OF APPEALS
TOWN OF LLOYD
MINUTES
Thursday, September 10, 2026

CALL TO ORDER TIME: 7:00 PM

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.

Attendance: Board Members: John Litts (Chairman), Paul Gargulio, Russ Gilmore, Bill Brown, Shawn Zerafa, Corey Miller, Mike Guerriero (Town Board); Board Staff: David Gordon and Sarah Van Nostrand

Absent: Board Members: Jessica Van Houten

***Project Concrete Batch Plant-Public Appeal (Epperson) has been removed from the agenda as per the applicant**

New Business:

Passante, Stephanie: Area Variance: 13 Thorns Lane: SBL #88.13-5-26

Applicant is seeking an area variance for relief of 1'3" for side yard setback and 26'4" for rear yard setback.

Review Status: Application and plans circulated to board.

Present: Stephanie Passante

Passante said that the house was built towards the back of the property. She wants to expand her kitchen and put in a game room. In the front of the house is the leech field, deck, large trees and driveway so they are asking for a variance in the back portion of their property.

Litts said that the board has to grant the least relief possible and asked if the addition can be rotated or moved to become more compliant.

Passante said where you are talking about going to the side is where her well is. She mentioned that her family owns the surrounding property and are all okay with the build.

Litts said that the board can take that into consideration.

Gargiulo said that the well should also be shown on the map.

Passante said that the front is the leech field to off the side of the deck. On the side of the house there is the septic tank and where the door writing is, is her well.

Litts said you mentioned that there were alterative designs can those be shown to the board.

Passante said that the other designs were closer to the property line.

Litts said that the well and septic need to be shown on the plans. He asked the board if they were okay with the side yard setback.

Board agrees that they are fine with the side yard setback request and that the rear yard setback is too much of an ask.

Litts said if you can show the board where the well and septic is and state why you cannot move it. If the well is where you say it is then that is a legitimate reason but if you well is not there then you could move the addition over and have the same square foot but be more compliant with the town code.

Passante asked how far away does the building have to be from the well?

Gargiulo said that as long as you have access.

Litts said that there are several houses in the town that have their wells in the basement.

Litts asked for a motion to set the public hearing.
Motion made by Gilmore, 2nd by Brown.
All ayes, motion passed to set the public hearing.

Old Business:

7 Leonta Ct LLC: Variance: 7 Leonta Ct: SBL #88.69-10-25

Applicant is seeking to build a second two family dwelling on their property.

Review Status: Memorandum circulated to board.
Potential action: TBD

Present: Patti Brooks (applicant's agent) and Anthony Lanteri (Applicant)

Brooks said that she submitted a memo regarding the discussions from last month and highlighted some asks from the board. She said that she would like the zoning board of appeals to determine that a density variance is not needed based on all the factual information she submitted.

Litts asked if the building department determined whether or not a variance is needed?

Gordon said he has not seen anything.

Brooks said that it was a building department person who told Lanteri that a variance was needed for the second 2-family dwelling he was proposing. She is sure that they won't have an issue getting it in writing that a variance is not needed.

Litts said that they should get clarification from the building department.

Discussion about how the application was submitted took place and about what variances were needed.

Litts said that he knows that Barton (Building Department Director) said that he didn't know where the boundary was for the overlay district.

Brooks said that she will get something in writing in regards to that as well.

Litts asked her to go through the third item on the memo.

Brooks said according to the code (100-49) all two-family and multi-family homes all off-street parking shall be located either on the side or rear of the building. Parking spaces shall be screened from view to the maximum extent possible. They are seeking relief from that code because all of the existing parking for the two-family dwelling is already in the front yard not only for this residence but all of them along this road have parking in the front. The existing garage on the property fronts along Commercial Ave also with the frontage on the street line. Character of the neighborhood is parking in the front. Relocation of the parking to the rear of the site would eliminate the back yard for recreation purposes and cause them to be all street side which could cause a safety hazard.

Litts said this is also a unique situation as you are on a corner lot because they only have the one side and the rear. He said that he would like to set a public hearing on just the parking issue with the stipulation that if the building department has a negative view on the other two issues that the board would set a separate hearing for them.

Gordon advised that the board should get something in writing from the building department regarding the other two before a public hearing be set.

Litts said that if a public hearing is needed for anything other than the parking they will hold a separate hearing.

Gargiulo asked if the parking could be placed off of Commercial Ave?

Brooks said there wouldn't be enough room.

Litts said if you look at the traffic volume on Commercial Ave compared to Leonta Ct you would want them on a very minimally used road.

Litts asked for a motion to set the public hearing for the parking only.
Motion made by Gargiulo, 2nd by Zerafa.
All ayes, motion passed to set the public hearing for the parking only.

Continued Public Hearings:

Arket Holdings LLC: Area Variance: 25 Oakes Rd: SBL #96.5-3-2

Applicant is seeking an area variance for backyard setback relief of 11.5 feet for an addition.

Review Status: Public hearing opened August 13, 2026.
Potential Action: Close public hearing, approval resolution.

Present: Ryan Arket

No public comment

Litts asked for a motion to close the public hearing.
Motion made by Gilmore, 2nd by Brown.
All ayes, motion passed to close the public hearing.

Litts read the resolution.

Litts asked for a motion to approve the resolution.
Motion made by Gilmore, 2nd by Miller.
All ayes, motion passed to approve the resolution. Brown did not vote as he was absent for previous meetings where project was discussed.

Cohn, Chris: Area Variance: 1 Falcon Dr.: SBL #86.4-3-41

Applicant is seeking an area variance for 0.5 acres for minimum acreage for an accessory apartment.

Review Status: Public hearing opened July 9, 2026
Potential Action: Close public hearing, approval resolution.

Present: Chris Cohn (Applicant) & Sean Williams (Architect)

No public comment

Litts asked for a motion to close the public hearing.
Motion made by Gilmore, 2nd by Gargiulo.
All ayes, motion passed to close the public hearing.

Litts read the resolution.

Litts asked for a motion to approve the resolution.
Motion made by Gilmore, 2nd by Gargiulo.
All ayes, motion passed to approve the resolution. Brown did not vote as he was absent for previous meetings where project was discussed.

Minutes to approve:
August 13, 2026

Litts asked for a motion to approve the minutes as amended.
Motion made by Zerafa, 2nd by Gilmore.
All ayes, motion passed to approve the minutes as amended.