

ZONING BOARD OF APPEALS
TOWN OF LLOYD
MINUTES
Thursday, January 8, 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, Russ Gilmore, Shawn Zerafa, Corey Miller, Mike Guerriero (Town Board); Board Staff: Sarah Van Nostrand

Absent: Board Members: Paul Gargiulo, Bill Brown, and Jessica Van Houten.

New Business:

Blossom, Peggy: Area Variance: 20 Hasbrouck Ave: SBL #88.17-9-58.400

Applicant is seeking an area variance for an accessory apartment that is over the maximum 900 sq. ft.

Review Status: Application and plans circulated to the board.

Blossom (Applicant) said that she is seeking a variance for a rental unit that is downstairs that is over the limit of 900 square feet.

Litts said is it existing already, the layout of the space.

Blossom said that it is all existing.

Litts said that the town last year put a lot of thought into accessory apartments and the biggest was number of bedrooms. He asked if the apartment was only one bedroom.

Blossom said that is correct.

Litts said so density wise you fall into that criteria. It is just the square foot you are looking at.

Blossom said absolutely.

Litts said is there any way to mitigate what it is. The board can only grant the minimum so you have to prove what you have isn't feasible to say okay lets put a false wall in for storage on this side to get it down to the square footage.

Blossom said that her architect told her that he didn't see any place he could take space.

Litts said it is existing already everything is in place; it is a finished basement.

Blossom said yes.

Litts said square footage wise yes she is over, it is one bedroom which is the spirit of the code.

Litts asked for a motion to set a public hearing for February.

Motion made by Miller, 2nd by Gilmore.

All ayes motion passed to set the public hearing for February.

Litts said you mentioned that you spoke with an architect what he would like done is to get documentation from him saying that it would not be feasible to put a false wall in and isolate a part of the space because you wouldn't have access to it. If he can come up with something stating that it wouldn't be feasible then the board will open up to the neighbors for comments which will weigh in on the board's decision.

Old Business:

Swart, James: Area Variance: 11 Fieldstone Ct: SBL #95.2-7-14.170

Applicant is seeking an area variance to allow the outbuildings to remain in the front right side of the home.

Review Status: Public hearing closed 12-11-25

Potential Action: TBD

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.

Sabuda, Robert: Variance: 67 Black Creek Rd: SBL #79.2-1-24.200

Applicant is seeking a variance for 2 STRs on a parcel when only one is allowed.

Review Status: Updated application circulated to the board.

Litts said that the applicant has been in front of the board a few times.

Hagstrom (Applicant's Agent) said that the applicant was very confused about what board he was in front of and why, which is why he hired an attorney. They have applied to the Planning Board for the one permitted STR which he didn't even know he should do. Originally the board was talking about a use variance for this. The applicant originally applied for a use variance and an area variance and she followed it up with why they think it is an area variance. It is not changing density

to two residential units. It is not changing as if it is in a residential zone and they want to do a commercial use, it is still a residential use and it is a permitted use with a special use permit, its just the number of having two instead of one. They believe that it is better suited as an area variance than a use variance. This property is unique as having the artist studios on the bottom and the two residential units.

Litts said when the short-term rental was put in and one of the big things were that they wanted to hold it to one because there is a definite lack and need for rental units for affordable housing. The town doesn't want a bunch of short-term rentals so they held it to one. Is this a commercial use.

Hagstrom said that there is a commercial use on the bottom it is artist studios. Originally the upper floor was supposed to be and approved for artist studios as well. Then during COVID times, when the applicant bought the property you could do short-term rentals as there was no law, so he started renting out. The applicant wants to keep the rent low for the artist studios. It is also a good flexibility item because if he has an artist and residence when they have classes they can stay short-term upstairs and then use the studios below. He also provides the space as emergency housing and would like to have flexibility instead of having a long-term tenant to provide that for free.

Litts said that is not a rental.

Hagstrom said that having the ability to have the short-term rental allows him to do these community objectives and this makes the property unique as it is not just a residential property, it is not going to change the number of people coming in.

Litts asked is it a commercial use.

Hagstrom said she think it was approved for commercial on the bottom floor. It was approved as a two-family residence with a commercial use on the bottom floor.

Litts said he has a problem with this he has artists come in and rent the studios and the commercial space below and they also rent above as a place to stay.

Hagstrom said that she will have to check she does not if he lets them stay there as part of the rental.

Litts asked how does he advertise.

Hagstrom said it is Airbnb that was in the original packet that was submitted.

Litts said that it is a 100% ask as only one is allowed and the applicant wants two.

Hagstrom said that you cannot do anything more minimum than that.

Litts said that one could be rented as an apartment. He could even make the long-term one affordable so if someone doesn't have a strong financial background, they could have a place to rent.

Hagstrom said he wants the flexibility for both units to be able to help the community out.

Litts said this is not the first one that has come before the board and wanted multiples and the board has been steadfast to one. There is a reason you are allowed one because that is not what the town is about. He understands that a short-term rental is an economic benefit, but allowing one is a fair economic benefit for the whole community.

Hagstrom said it is allowed by the code.

Litts said that is his point and that is why they don't allow multiples. It gives the property owner a source of income which is why one is allowed, but any more than that it is not in the vision of the town.

Miller said that he is concerned that if the board approves this that they might set a precedent.

Litts said that the board is on a case-by-case basis, so they really don't set a precedent.

Zerafa said it is amendable that he is looking for flexibility to help the community.

Hagstrom said the applicant does not think that he will be able to rent long he doesn't think he is going to find a tenant.

Litts said that was a consideration for the board and they had asked him to put it out to a real estate agent, put it in the want ads that he has this square footage and this is what he wants for it. He said it is commendable that he lets people rent who are going through hard times.

Hagstrom said that it is also unique because you have the artist studios and you have people coming in and out of the property for that purpose. It is really not going to add that much more intensity to the property. The applicant owns a few properties in the area and the property that he wants to do the two short-term rentals at is over 6-acres. The building is existing; the building is approved; the building is not purely residential it is very unique. It is a benefit to the community as it is the only art studio and they educate people of all ages.

Litts said that function would still be the same. It would just be the monetary gain of the two short-term rentals.

Hagstrom said that the monetary gain from the rentals would allow him to continue providing the services of the artist studios and it allows him to make the rent reasonable for the artists.

Litts said that he rents the lower commercial space and then rents the short-term rentals to the same person.

Hagstrom said not necessarily he Airbnb's so it could be anybody.

Litts said so he has two Airbnb's he can rent to anybody and you are saying that that offsets the financial gain where he can have, but he wants to have the financial gain of two.

Hagstrom said having the financial gain of two, which enables him to keep the rents very reasonable for the people renting down below.

Litts said that they had someone come in who had a six unit building and they wanted to rent two units out as short-term rentals to double what they make and the board told them that it is not the board's job to make them more profitable. It is commendable that he is using his profit to offset what he is doing on the bottom, but that is not the town's responsibility to say you can get more money to do this.

Hagstrom said she was speaking in terms of the factors and the impact on the neighborhood and the community and this has a special unique impact and the connection of that to his of community. She thinks for these reasons that the board should say yes due to the uniqueness.

Gilmore said that the Department of Social Services will sign a contract for one or two years. If he was to rent one to the Department of Social Services they could send whoever they want to the facility when they want. There is one renter for one apartment and the other one he can have as a short-term rental. Would that work.

Litts said he would have to research that. It wouldn't be a short-term rental, but it would be a client turnover.

Gilmore said he could charge whatever he wanted, he wouldn't need to charge a lot.

Zerafa asked if he has tried to rent as a long-term rental.

Hagstrom said she doesn't he has.

Zerafa said that he should try to rent it out long term for a year.

Hagstrom said that is more of a criteria for a use variance not an area variance. She thinks that this fits into the area variance category. This not a non-permitted use, you can have a STR in the zoning district, it is just the number.

Litts said it does come into feasibility to show why the area variance couldn't be reached by other means.

Hagstrom said she understands what the board is saying. She was seeing it as is there any other way to achieve a short-term rental by other means, but a short-term rental is a short-term there is no other way. Doing it as a long-term rental is not achieving a short-term rental.

Litts asked for a motion to set a public hearing for February.

Motion made by Gilmore, 2nd by Zerafa.

All ayes, motion passed to set the public hearing for February.

Minutes to approve:

December 11, 2025

Litts asked for a motion to approve the minutes.

Motion made by Gilmore, 2nd by Zerafa.

All ayes, motion passed to approve the minutes.