

**TOWN OF BETHLEHEM  
BOARD OF APPEALS  
April 2, 2008**

A regular meeting of the Board of Appeals, of the Town of Bethlehem, Albany County, New York was held on the above date at the Town Offices, 445 Delaware Avenue, Delmar, New York. Michael Hodom, Chairman, presiding.

PRESENT: Michael Hodom, Board of Appeals Chairman  
Michael Moore, Board of Appeals Counsel  
David DeCancio, Board of Appeals Member  
Lennie Micelli, Board of Appeals Member  
Kenneth Umina, Board of Appeals Member  
Matthew Watson, Board of Appeals Member

Mark Platel, Assistant Building Inspector

AGENDA: David & Susan Conrad  
Daryn Bendinotti  
Alteri's Restaurant

Chairman Hodom called the meeting to order at 7:00pm.

**DISCUSSIONS**

**David and Susan Conrad**

The Board received an application for a variance under Article V, District Use & Area Requirements, Section 128-29 (C) (3), % of lot occupancy (accessory structure).

There had been a question as to how much more square footage the Conrad's would need to purchase to make the variance not needed. Mr. Platel stated that they would need an additional twenty-five (25) foot strip along the eighty-two (82) foot lot line.

The Board considered the application as submitted.

Mr. Micelli, Mr. DeCancio, Mr. Watson and Mr. Umina were all in favor of granting the variance. Chairman Hodom said the granting of the variance would not cause an undesirable change nor a detriment to the neighborhood, the barn is existing and the neighbors were in favor of the variance. The variance is not substantial and the benefit can not be achieved by any other method other than an area variance. The area variance will not have an adverse impact on the environment and the alleged difficulty was not self created.

A motion to approve the Conrad's area variance request was offered by Mr. Watson, seconded by Mr. Umina and approved by all Board members present.

**Daryn Bendinotti**

The Board received an application for a variance under Article XIII, Use and Area Schedules, Section 128-100, Schedule of Area, Yard and Bulk Requirements.

Mr. Micelli said Ms. Bebdinotti had lived at the address for four (4) years and she always wanted a front porch. He did not think the porch would be an issue with the neighbors. A neighbor across the street had the identical porch Ms. Bendinotti wanted built. He was in favor of granting the area variances.

Mr. DeCancio said granting the variance would not change the character of the neighborhood. He was in favor

of granting the variance.

Mr Umina felt she was improving the property and he also is in favor of granting the variances.

Mr. Watson thinks the porch will make the house and the street more attractive. He was in favor of granting the variance.

A motion to approve Daryn Bendinotti's area variance request was offered by Mr. Micelli, seconded by Mr. Watson and approved by all Board members present.

## **RESOLUTIONS**

### **Alteri's Restaurant**

The Board had received an application for a variance under Article VI, Supplementary Regulations, Section 128-59, Signs, C-4, no moving signs and G-1 maximum total area of sign.

The Board reviewed the draft resolution AV-0806 prepared by the Zoning Board attorney.

A motion to approve the Resolution as drafted was offered by Mr. Micelli, seconded by Mr. Umina and approved by all Board members present.

The Board reviewed the draft minutes of March 19, 2008.

A motion to approve the minutes as amended was offered by Mr. Umina, seconded by Mr. Watson and approved by all Board members present.

A motion to adjourn was offered by Mr. Micelli, seconded by Mr. DeCancio and approved by all Board members present.

The meeting adjourned at 7:25 PM.