TOWN OF MINA

ZONING BOARD OF APPEALS MINUTES

June 17, 2026

ZBA Members Present: Bryan Allison (Acting Chairman), Chuck Carter, Joe DeBoe

ZBA Members Absent: Charles Armstrong

Others Present: Emily Allen, Gene Blakeslee, Robert Damsel, Bonnie Jones, Rodney Jones, Patricia Quast, Steven Quast, Rebecca Brumagin (Town of Mina Supervisor/Acting Code Secretary)

Call to Order: The meeting was called to order at 7:00 pm by Bryan Allison, Acting Chairman.

Public Notice of the meeting was acknowledged*: Post-Journal* 6/5/26, Town of Mina Website and Town of Mina Official Bulletin Board.

Approval of Minutes: The meeting minutes of April 29, 2026 were approved as presented.

Motion was made by Chuck Carter, with a second by Joe DeBoe, to approve the minutes as PRESENTED. Motion carried, unanimous.

Approved: Ayes (unanimous) – Allison, Carter, DeBoe

ZONING BOARD OF APPEALS HEARING REQUESTS

1. **Applicants – STEVEN and PATRICIA QUAST**

Type of Request: **SPECIAL USE PERMIT** to extend the existing porch roof east to the north corner of the house by six (6) feet making the total porch 16 feet and extending one (1) foot past the outside wall of the house at 2257 Sunnyside Road (Route 426), Clymer (Findley Lake), NY on the lot known on the tax map as 359.19-1-16, owned by Steven Quast and Patricia Quast.

Motion: *Chuck Carter moved, and Joe DeBoe seconded, a motion to APPROVE a SPECIAL USE PERMIT to extend a porch at 2257 Sunnyside Road (Route 426) Clymer (Findley Lake), NY by an additional six (6) feet making the total porch 16 feet and extending one (1) foot past the outside wall of the house on Lot 359.19-1-16, owned by Steven Quast and Patricia Quast.*

Decision: *Special Use Permit application* ***APPROVED,*** *unanimous.*

2. **Applicants – BRENT and CHRISTINE BALL**

Type of Request: **SPECIAL USE PERMIT** to construct a privacy fence along the south side of the property beginning 40 feet from the edge of the road right of way and running two (2) feet inside the property line for 90 feet at approximately the back corner of the south side neighbor's line at 2801 Pleasant Street, Findley Lake, NY on the lot know on the tax map as 350.06-1-5, owned by Brent Ball and Christine Ball.

Motion: *Joe DeBoe moved, and Chuck Carter seconded, a motion to APPROVE a SPECIAL USE PERMIT to construct a six (6) feet high privacy fence at 2801 Pleasant Street, Findley Lake, NY along the south side of the property beginning 40 feet from the edge of the road right of way and running two (2) feet inside the property line for 90 feet at approximately the back corner of the south side neighbor's line known on the tax map as Lot 350.06-1-5, owned by Brent Ball and Christine Ball.*

Decision: *Special Use Permit application* ***APPROVED,*** *unanimous.*

3. **Applicants – RODNEY and BONNIE JONES**

Type of Request: **SPECIAL USE PERMIT** to build a 12' x 20' pole structure with an 8' x 20' attached pavilion with a 15 feet maximum height at 2131 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones.

Motion: *Chuck Carter moved, and Bryan Allison seconded, a motion to APPROVE a SPECIAL USE PERMIT to build a 12' x 20' accessory building with an 8' x 20' attached pavilion with a 15 feet maximum height at 2131 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones with the condition that the pavilion is not to be used for storage except in the winter to store outdoor furniture.*

Decision: *Special Use Permit application* ***APPROVED,*** *unanimous.*

4. **Applicants – RODNEY and BONNIE JONES**

Type of Request: **AREA VARIANCE** to build a 12' x 20' accessory building with an 8' x 20' attached pavilion with a 15 feet maximum height with a lot width variance of 17 feet and a west side yard variance of four (4) feet at 2131 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones.

Motion: *Chuck Carter moved, and Bryan Allison seconded, a motion to APPROVE an AREA VARIANCE of a lot width variance of 17 feet and a west side yard variance of four (4) feet at 2131 Shadyside Road, Clymer (Findley Lake), NY to build a 12' x 20' accessory building with an 8' x 20' attached pavilion with a 15 feet maximum height on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones.*

Decision: *Area Variance application* ***APPROVED****, unanimous.*

Old Business: None

New Business: The Town Board is interviewing to fill the vacancy on the ZBA board.

Next Scheduled Hearing Date: The next ZBA meeting is scheduled for Wednesday, July 22, 2026 with the cut-off date to accept applications of July 8, 2026.

Adjournment: The meeting was adjourned at 8:18 pm upon motion by Chuck Carter and second by Joe DeBoe.

Recorded by: Rebecca Brumagin, Town Supervisor/Acting Code Secretary

4 Attachments: #1 – Quast Special Use Permit
#2 – Ball Special Use Permit
#3 – Jones Special Use Permit
#4 – Jones Area Variance

Attachment to Zoning Board of Appeals Minutes - #1

Town of Mina
Zoning Board of Appeals
SPECIAL USE PERMIT
June 17, 2026

Applicants: Steven and Patricia Quast

DESCRIPTION OF REQUEST:

SPECIAL USE PERMIT to extend the existing porch roof east to the north corner of the house by six (6) feet making the total porch 16 feet and extending one (1) foot past the outside wall of the house at 2257 Sunnyside Road (Route 426), Clymer (Findley Lake), NY on the lot known on the tax map as 359.19-1-16, owned by Steven Quast and Patricia Quast.

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS:

Property is zoned **R2** (Lakeside Residential).
Reviewed definitions, district regulations, general provisions and supplemental regulations.
Confirmed the dimensions of the requested extension.

PUBLIC COMMENT:

No written comments were received from the public.
Steven & Patricia Quast submitted a written comment with the application: "The improvement does not increase functional living area or intensify use of the property – rather it enhances the appearance of the structure while providing improved protection from snow, rain, and water intrusion while maintaining the character of the property. Materials, rooflines, and proportions will complement the structure, creating a cohesive appearance."
Gene Blakeslee – Water comes down from the roof – this extension improves that situation.
Steven & Patricia Quast – Agreed with Gene Blakeslee.

THE ZONING BOARD OF APPEALS CONSIDERED THE FOLLOWING FOR THE SPECIAL USE PERMIT:

1. The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to it, and the location of the site with respect to the existing or future streets giving access to it, shall be such that it will be in harmony with the orderly development of the district and the location, nature and height of buildings, walls and fences will **not** discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
   All ZBA members agreed – Yes. The porch extension is in concert with the area.

2. The operations in connection with any special use shall not be more objectionable to nearby properties by reason of noise, fumes, vibrations, or lights than would be the operations of any permitted use.
   All ZBA members agreed – Yes

3. Conditions:
   a. The Permitting Board has referred to General Conditions in the Zoning Law.
      Yes
      ZBA members referred to:
      - **Article II Definitions Section 202: Definitions – Reviewed definition of a porch – does not fit definition of an open porch/deck**
      - **Article IV District Regulations Section 403: Lakeside Residential (R2) District – considers it an add-on to the house**
      - **Article V General Provisions Section 507: Interpretation of Permitted Uses – the use is considered a "Use by Special Use Permit"**
      - **Article VI Supplemental Regulations Section 601: General Development Conditions –**
        #1 – Traffic – No Issue
        #2 – Safety – No Issue
        #3 – Health – No Issue
        #4 – Character of Neighborhood – No Issue
        #5 – Public Costs – No Issue
        #6 – Environmental Protection – No Issue
        #7 – Nuisances – No Issue
        #8 – Land Use Preservation – No Issue
        #9 – Aesthetics – Improves It
   b. A plan for the proposed development of a site for designated special use was submitted with the application and shows the location of all buildings, lots,

parking areas, traffic access and circulation drives, open spaces, landscaping and any other pertinent information that the Permitting Board deems necessary.
All ZBA members agreed – Yes. A plot plan was submitted with the application for a Special Use Permit.

c. There are no existing violations of the zoning law on the property where the Special Use Permit is being requested.
All ZBA members agreed – Yes, there are no zoning violations on the property.

Motion: *Chuck Carter moved, and Joe DeBoe seconded, a motion to APPROVE a SPECIAL USE PERMIT to extend a porch at 2257 Sunnyside Road (Route 426) Clymer (Findley Lake), NY by an additional six (6) feet making the total porch 16 feet and extending one (1) foot past the outside wall of the house on Lot 359.19-1-16, owned by Steven Quast and Patricia Quast.*

Decision: *Special Use Permit application* ***APPROVED,*** *unanimous.*

Allison – Aye
Carter – Aye
DeBoe – Aye

Attachment to Zoning Board of Appeals Minutes - #2

Town of Mina
Zoning Board of Appeals
SPECIAL USE PERMIT
June 17, 2026

Applicants: Brent and Christine Ball

DESCRIPTION OF REQUEST:

SPECIAL USE PERMIT to construct a privacy fence along the south side of the property beginning 40 feet from the edge of the road right of way and running two (2) feet inside the property line for 90 feet at approximately the back corner of the south side neighbor's line at 2801 Pleasant Street, Findley Lake, NY on the lot know on the tax map as 350.06-1-5, owned by Brent Ball and Christine Ball.

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS

Property is zoned **B1** (Historic Business).
Reviewed definitions, district regulations, general provisions and supplemental regulations.
Emily Allen represented Brent & Christine Ball and answered questions regarding the privacy fence including the size, distance from the road and the potential impact to the neighbors. The fence will be vinyl and look the same on both sides.

PUBLIC COMMENT:

No written comments were received from the public.
Brent Ball submitted a written comment with the application: "The fence will not obstruct anyone's view of the lake and will give the homes more privacy. I believe the fence will create more privacy for whomever ends up living in the house next door. Front yards will remain open – no views of the lake will be lost."

THE ZONING BOARD OF APPEALS CONSIDERED THE FOLLOWING FOR THE SPECIAL USE PERMIT:

1. The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to it, and the location of the site with respect to the existing or future streets giving access to it, shall be such that it will be in harmony with the orderly development of the district and the location, nature and height of buildings, walls and

fences will **not** discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
All ZBA members agreed – Yes. The privacy fence is in concert with the area.

2. The operations in connection with any special use shall not be more objectionable to nearby properties by reason of noise, fumes, vibrations, or lights than would be the operations of any permitted use.
   All ZBA members agreed – Yes

3. Conditions:
   a. The Permitting Board has referred to General Conditions in the Zoning Law.
      Yes
      ZBA members referred to:
      - **Article II Definitions Section 202: Definitions – Reviewed definition of fences/walls – it fits the definition of a fence**
      - **Article IV District Regulations Section 405: Historic Business (B1) District – Fences/Walls – four (4) feet in height and greater require a Special Use Permit**
      - **Article V General Provisions Section 507: Interpretation of Permitted Uses – the use is considered a "Use by Special Use Permit"**
      - **Article V Section 615: Fences/Walls – Regulations**
        #1 – Exempt Fencing – N/A
        #2 – Permits – Six (6) feet high and requires Special Use Permit
        #3 – Setback from Road – More than 25' from road
        #4 – Proximity to Neighboring Properties – Two (2) feet from neighbor
        #5 – Fire Hazard – It is not fireproof but is fire resistant
        #6 – Finished Sides – It is finished on both sides
        #7 – Materials – Ok
        #8 – Maintenance – Ok
        #9 – Lakeshore Fence – N/A
        #10 – Corner Setbacks – N/A
      - **Article VI Supplemental Regulations Section 601: General Development Conditions –**
        #1 – Traffic – N/A
        #2 – Safety – More than 25' from road
        #3 – Health – N/A

#4 – Character of Neighborhood – It is two (2) feet off the property line
#5 – Public Costs – N/A
#6 – Environmental Protection – N/A
#7 – Nuisances – N/A
#8 – Land Use Preservation – N/A
#9 – Aesthetics – N/A

b. A plan for the proposed development of a site for designated special use was submitted with the application and shows the location of all buildings, lots, parking areas, traffic access and circulation drives, open spaces, landscaping and any other pertinent information that the Permitting Board deems necessary.
All ZBA members agreed – Yes. A plot plan was submitted with the application for a Special Use Permit.

c. There are no existing violations of the zoning law on the property where the Special Use Permit is being requested.
All ZBA members agreed – Yes, there are no zoning violations on the property.

Motion: *Joe DeBoe moved, and Chuck Carter seconded, a motion to APPROVE a SPECIAL USE PERMIT to construct a six (6) feet high privacy fence along the south side of the property beginning 40 feet from the edge of the road right of way and running two (2) feet inside the property line for 90 feet at approximately the back corner of the south side neighbor's line at 2801 Pleasant Street, Findley Lake, NY on the lot known on the tax map as Lot 350.06-1-5, owned by Brent Ball and Christine Ball.*

Decision: *Special Use Permit application* ***APPROVED,*** *unanimous.*

Allison – Aye
Carter – Aye
DeBoe – Aye

Attachment to Zoning Board of Appeals Minutes - #3

Town of Mina
Zoning Board of Appeals
SPECIAL USE PERMIT
June 17, 2026

Applicants: Rodney and Bonnie Jones

DESCRIPTION OF REQUEST:

SPECIAL USE PERMIT to build a 12' x 20' pole structure with an 8' x 20' attached pavilion with a 15 feet maximum height at 2131 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones.

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS:

Property is zoned **R1** (Residential District).
Reviewed definitions, district regulations, general provisions and supplemental regulations.
Determined that the structure fits the definition of an accessory building.
Confirmed the dimensions of the proposed structure and attached pavilion.
Rodney & Bonnie Jones brought images of the proposed structure and provided additional documentation including a materials list and an engineer stamped certification of the trusses.
The Jones' reported that there are no other sheds/storage structures or accessory buildings on the property.

PUBLIC COMMENT:

A letter was submitted by Judy Hunt dated May 29, 2026 stating her permission for Rodney and Bonnie Jones to construct a shed at 2131 Shadyside Road that abuts her property at 2135 Shadyside Road and acknowledging that it will be closer to her property line than the current law permits.
In regard to the proposed request, Robert Damsel of 2123 Shadyside Road stated that he is "good with it".

THE ZONING BOARD OF APPEALS CONSIDERED THE FOLLOWING FOR THE SPECIAL USE PERMIT:

1. The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to it, and the location of the site with respect to the existing or future streets giving access to it, shall be such that it will be in harmony with the orderly development of the district and the location, nature and height of buildings, walls and fences will **not** discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
   All ZBA members agreed – Yes. The accessory building and pavilion are in concert with the area.

2. The operations in connection with any special use shall not be more objectionable to nearby properties by reason of noise, fumes, vibrations, or lights than would be the operations of any permitted use.
   All ZBA members agreed – Yes

3. Conditions:
   a. The Permitting Board has referred to General Conditions in the Zoning Law.
      Yes
      ZBA members referred to:
      - **Article II Definitions Section 202: Definitions – There is no definition for a shed in the Zoning Law. The definition for storage structure states that "storage structures shall be for non-commercial use and less than 150 square feet with larger structures considered to be customary accessory uses". The requested structure fits the definition of an accessory building.**
      - **Article IV District Regulations Section 401: Residential (R1) District – an accessory building requires a Special Use Permit.**
      - **Review of update to the Zoning Law dated February 3, 2026 allowing for the construction of a pole barn/pole structure in R1 Residential Zoning District with the granting of a Special Use Permit by the Zoning Board of Appeals.**
      - **Article V General Provisions Section 505: Existing Substandard Sized Lots – current lot is 1.1 acre**
      - **Article V General Provisions Section 507: Interpretation of Permitted Uses – the use is considered a "Use by Special Use Permit"**
      - **Article VI Supplemental Regulations Section 601: General Development Conditions –**

#1 – Traffic – No Issue
#2 – Safety – No issue, just storage, no electricity, no plumbing, no living space, no floor, just a pole barn with pavilion and eight (8) feet walls
#3 – Health – No Issue
#4 – Character of Neighborhood – Ok – in concert with the home, metal roof, height eight (8) feet plus 6'8" for approximately 15 feet high
#5 – Public Costs – Ok
#6 – Environmental Protection – Ok
#7 – Nuisances – Ok
#8 – Land Use Preservation – Ok
#9 – Aesthetics – Ok

- **Article VI Supplemental Regulations Section 633: Storage Structures (Permanent/Moveable) – The storage structure is properly located so as to protect the rights associated with neighboring properties with respect to visibility, light and air movement, fire safety and aesthetics.**

b. A plan for the proposed development of a site for designated special use was submitted with the application and shows the location of all buildings, lots, parking areas, traffic access and circulation drives, open spaces, landscaping and any other pertinent information that the Permitting Board deems necessary.
All ZBA members agreed – Yes. A plot plan was submitted with the application for a Special Use Permit.

c. There are no existing violations of the zoning law on the property where the Special Use Permit is being requested.
All ZBA members agreed – Yes, there are no zoning violations on the property.

Motion: *Chuck Carter moved, and Bryan Allison seconded, a motion to APPROVE a SPECIAL USE PERMIT to build a 12' x 20' accessory building with an 8' x 20' attached pavilion with a 15 feet maximum height at 2131 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones with the condition that the pavilion is not to be used for storage except in the winter to store outdoor furniture.*

Decision: *Special Use Permit application* ***APPROVED,*** *unanimous.*

Allison – Aye
Carter – Aye
DeBoe – Aye

Attachment to Zoning Board of Appeals Minutes - #4

Town of Mina
Zoning Board of Appeals
AREA VARIANCE
June 17, 2026

Applicants: Rodney and Bonnie Jones

DESCRIPTION OF REQUEST:

SPECIAL USE PERMIT to build a 12' x 20' pole structure with an 8' x 20' attached pavilion with a 15 feet maximum height at 2131 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones.

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS:

Property is zoned **R1** (Residential District).
Reviewed definitions, district regulations, general provisions and supplemental regulations.
Determined that the structure fits the definition of an accessory building.
Confirmed the dimensions of the proposed structure and attached pavilion.
Rodney & Bonnie Jones brought images of the proposed structure and provided additional documentation including a materials list and an engineer stamped certification of the trusses.

The Jones' reported that there are no other sheds/storage structures or accessory buildings on the property.

PUBLIC COMMENT:

A letter was submitted by Judy Hunt dated May 29, 2026 stating her permission for Rodney and Bonnie Jones to construct a shed at 2131 Shadyside Road that abuts her property at 2135 Shadyside Road and acknowledging that it will be closer to her property line than the current law permits.
In regard to the proposed request, Robert Damsel of 2123 Shadyside Road stated that he is "good with it".

THE ZONING BOARD OF APPEALS CONSIDERED THE FOLLOWING FOR THE AREA VARIANCE:

ZBA members referred to:

- **Article II Definitions Section 202: Definitions – The requested structure fits the definition of an accessory building.**
- **Article IV District Regulations Section 401: Residential (R1) District – E. Area Standards: All Other Structures**
    a. **Minimum lot size 20,000 square feet – ok**
    b. **Minimum lot width (feet) 120 – the lot width is 103 feet at the road – a variance of 17 feet is requested**
    c. **Maximum lot coverage 60% - not an issue**
    d. **Minimum front yard 50 feet – the proposed structure is beyond 50'**
    e. **Minimum rear year 20 feet – not an issue**
    f. **Minimum side yard 10 feet – the west side is six (6) feet from the property line – a variance of four (4) feet is requested**
    g. **Maximum stories – 2 ½ - not an issue**
    h. **Maximum height 30 feet – not an issue**
- **Article V General Provisions Section 505: Existing Substandard Sized Lots – current lot is one (1) acre**
    a. **At the time of enactment of this Law, the substandard lot was not contiguous with another lot in the same ownership – Ok**
    b. **The substandard lot is not less than 75% of all of the applicable standards – Ok**
    c. **The County Health Department approves the lot where there are no municipal utilities – no issues**
    d. **If (b) cannot be met but (c) has been accomplished, then the applicant can request an area variance from the Zoning Board of Appeals - Ok**

1. Would an undesirable change be produced in the character of the neighborhood, or would a detriment to nearby properties be created by the granting of the area variance?
   All ZBA members agreed – No, it would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

2. Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue other than an area variance?
   All ZBA members agreed – No, it could not be achieved by some other method.

3. Is the requested area variance substantial?

All ZBA members agreed – Yes, it is a substantial lot width variance of 17 feet and a side yard variance of four (4) feet.

4. Would the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?
   All ZBA members agreed – No, it would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

5. Would the alleged difficulty be self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance?
   All ZBA members agreed – Yes, the alleged difficulty is self-created as the applicant knew the size of the lot at the time of purchase.

Motion: *Chuck Carter moved, and Bryan Allison seconded, a motion to APPROVE an AREA VARIANCE of a lot width variance of 17 feet and a west side yard variance of four (4) feet at 2131 Shadyside Road, Clymer (Findley Lake), NY to build a 12' x 20' accessory building with an 8' x 20' attached pavilion with a 15 feet maximum height on the lot known on the tax map as 376.00-2-23, owned by Rodney Jones and Bonnie Jones.*

Decision: *Area Variance application* ***APPROVED,*** *unanimous.*

Allison – Aye
Carter – Aye
DeBoe – Aye