TOWN OF MINA

ZONING BOARD OF APPEALS MINUTES

September 16, 2026

ZBA Members Present: Bryan Allison (Chairman), Travis Anderson, Charles Armstrong, Chuck Carter, Joe DeBoe

Others Present: Tyler Lent, Sherri Schenk, John Shifler, Ellen Shifler, Carl Van Curen, Rebecca Brumagin (Town of Mina Supervisor/ Acting Code Secretary)

Call to Order: The meeting was called to order at 7:02 pm by Bryan Allison, Chairman.

Public Notice of the meeting was acknowledged*: Post-Journal* 9/9/26, Town of Mina Website (9/8/26) and Town of Mina Official Bulletin Board (9/8/26).

Approval of Minutes: Motion was made by Joe DeBoe, with a second by Charles Armstrong, to approve the August 19, 2026 minutes as presented. Motion carried, unanimous.

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

Recognition: Rebecca Brumagin, Town Supervisor, recognized John Shifler and Ellen Shifler for their contributions to the Town. John retired from the Zoning Board of Appeals after 20 years. He served as ZBA chairman for many of those years. He was also a member of the Planning Board and assisted with recommendations for updating the Zoning Law. John was a conscientious reviewer of every application and a valued advisor to ZBA members and the Code Enforcement Officer. Ellen resigned as Zoning Clerk after 10 years. She did an excellent job of compiling packets, preparing legal notices, notifications to applicants and the public, and taking detailed minutes. She has expressed a willingness to assist the Town in another capacity. Both John and Ellen received gifts in appreciation for their many years of outstanding service. Chuck Carter expressed his appreciation to John and Ellen for their guidance and support of ZBA.

ZONING BOARD OF APPEALS HEARING REQUEST

1. **Applicants – MARK and TINA LARAMIE – Tabled from the August 19, 2026 meeting.** Mark and Tina Laramie did not attend the meeting and there was no representative present at the meeting to respond to questions from ZBA members. ZBA Board must approve or deny at this meeting to meet the requirement of a timely decision.

   Type of Request: **SPECIAL USE PERMIT** to construct a 570 square foot accessory building as an attached garage that would be part of an addition to an existing house. Town of Mina Zoning Law limits a garage (attached or detached) to a maximum of 500 square feet in overall size. Because the applicants are requesting a 570 square foot garage, they

are applying for a special use permit for an accessory building. The location is 2252 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.07-1-33, owned by Mark Laramie and Tina Laramie.

Type of Request: **AREA VARIANCE** to fully renovate an existing 950 +/- square foot house and add 2nd floor, construct a 1,350 +/- sq. ft. two story addition, construct a 570 +/- sq. ft. attached single story garage. Total height of 2 story addition above existing grade will be +/- 35 feet. The location is 2252 Shadyside Road, Clymer (Findley Lake), NY on the lot known on the tax map as 376.07-1-33, owned by Mark Laramie and Tina Laramie. The variance requested is 6 +/- foot side yard variance (south), 12 +/- foot side yard variance (north), 22 +/- foot lakeside setback (existing house), 10 +/- foot lakeside setback (existing deck), road frontage 45' and lot size 8,865'.

At its August 19, 2026 meeting, the Zoning Board requested that the applicants provide additional information for the September 16, 2026 ZBA meeting. A letter was sent to Mark & Tina Laramie requesting a response to the following (their responses are listed in the parentheses after each item). Mark & Tina Laramie also submitted a revised/updated Area Variance application.

- Square footage of the proposed deck (450 square feet),
- Distance from the northwest corner of the existing structure closest to the water (where the proposed addition will start) (22.0'),
- Locations of both the septic tank (provided) and the leach field (provided),
- Dimensions of the existing structure (existing basement 24.5" x 20.0" + 504 sq. ft. existing deck, first floor 24.5" x 20.0"),
- Height of the proposed addition (calculating the height based upon the average height of the slope that it will sit on) (second-floor addition to existing house 36' above mean slope elevation, 2 story addition 33' above mean slope elevation), and
- Highest point of the proposed project as it compares to the height of the house located south of the property (information not provided).

PUBLIC COMMENT:

Other than comments at the August 19, 2026 ZBA meeting, no written or verbal comments were received from the public.

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS REGARDING THE SPECIAL USE PERMIT:

Section 202 page 15 – Definition of Garage – at 570 square feet, it doesn't meet the legal definition of a garage and is not a permitted use.
Section 507 page 64 – Interpretation – it can be considered an accessory building
Section 202 page 4 – Definition of Accessory Building/Use
R2 Lakeside Residential page 45 – Accessory Building

Section 601 General Development Conditions: B page 70 – Areas of Concern -

1. Traffic – No concern
2. Safety – Dwellings are close together; 30 feet structure to structure
3. Health – None identified
4. Character of Neighborhood – None identified
5. Public Costs – None identified
6. Environmental Protection – None identified
7. Nuisance – Don't know if this would be a problem
8. Land Use Preservation – None identified
9. Aesthetics – None identified

Charles Armstrong commented that the size of the building is close to the neighbor and that if the applicants dropped the size of the accessory building (garage) from 570 sq. ft. to 500 sq. ft. then a Special Use Permit would not be required.

Member of the public in attendance Carl VanCuren stated that with the buildings close together there could be fire concerns and that drainage should be going onto their own property.

Carl Van Curen also asked if it is two garage doors or one extra wide door. Could knock it down to 24' wide and it would be perfectly fine. It was noted that 45' wide is the same width as the existing building.

THE ZONING BOARD 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 – No. The accessory building is too large.
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.
      All ZBA members agreed – Yes.
   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.

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.

Motion: *Joe DeBoe moved, and Charles Armstrong seconded, a motion to deny the Special Use Permit.*

Motion carried, unanimous.

Denied: Nays (unanimous) – Allison, Anderson, Armstrong, Carter, DeBoe

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS REGARDING THE AREA VARIANCE:

The Area Variance is automatically rejected as the Special Use Permit was denied and, therefore, an area variance cannot be requested. The applicant can reapply with a reduction in the size of the accessory building/garage to 500 square feet or less. A Special Use Permit would then not be required.

ZONING BOARD OF APPEALS HEARING REQUEST

2. **Applicant – TYLER LENT**

Type of Request: **SPECIAL USE PERMIT** to erect a business sign adjacent to 3284 Marks Road on property owned by Nickerson Farms. The proposed sign is a 4 ft x 8 ft horizontal ground mounted sign located 20 feet off of Marks Road, 5 ft off the ground and 4 ft to the top for a total height of approximately 10 feet. The sign display area will be a total 32 square feet. The location is Marks Road, Sherman (Town of Mina), NY on the lot known on the tax map as 327.00-1-6, owned by Nickerson Farms.

Tyler Lent explained that the sign will be a wooden 4 x 4 treated lumber wrapped vinyl sign with a spot light powered by solar. It will be located on the Nickerson barn property next door to his property on the tax map as 327.00-1-8..

PUBLIC COMMENT:

A letter was included in the application from Tim Nickerson giving permission for Tyler Lent, owner of Artigenics Tattoos, to put a sign on his property at Nickerson Farms, Marks Road.

Carl Van Curen, who is a neighbor to Tyler Lent, said that he has no problem with the sign and "no problems with the man trying to make money to support his family".

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS REGARDING THE SPECIAL USE PERMIT:

Section 202 page 27 – Definition of Sign – The application fits the definition.
Section 202 page 28 – Definition of Sign, Freestanding (Ground) – The application fits the definition.
The property is located in the Agricultural (A1) District.
Section 404: A1 Agriculture District page 51 – Special Use Permit Required
Section 614 page 83 – C. General Sign Standards –

- All sign standards were reviewed
- Externally illuminated signs, including building identification signs, shall only use shielded light fixtures – The applicant reported that the illumination will be pointing down and will not impact the neighbors

Section 614 page 85 – F. Specific Sign Regulations –

- Freestanding Signs – The applicant reported that there will only be one sign with an overall height of 10 feet.

THE ZONING BOARD 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.
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 – there will be no sound or vibration.
3. Conditions:
   a. The Permitting Board has referred to General Conditions in the Zoning Law.
      All ZBA members agreed – Yes.
   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.
   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.

Motion: *Charles Armstrong moved, and Joe DeBoe seconded, a motion to approve the Special Use Permit.*

Motion carried, unanimous.

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

ZONING BOARD OF APPEALS HEARING REQUEST

3. **Applicant – CAROL GILLIGAN**

Type of Request: **SPECIAL USE PERMIT** to plant five (5) arborvitae trees/bushes along the garage side of the fence across from 2671 Shadyside Road, Findley Lake NY on the empty lot known on the tax map as 359.10-1-6, owned by Carol Gilligan.

Carol Gilligan did not attend the meeting and there was no representative present at the meeting to respond to questions from ZBA members.

PUBLIC COMMENT:

Sherri Schenk, a neighbor, was in attendance and she reported that it is the lake front property, not the property where Carol Gilligan's house is located.
Sherri Schenk stated that the property is two doors down from her property and she has no objection to the trees/bushes.
No other written or verbal comments were received from the public.

DISCUSSION AND QUESTIONS FROM THE ZONING BOARD OF APPEALS REGARDING THE SPECIAL USE PERMIT:

Section 202 page 14 – Fences/Walls Definition – "A wall, hedge, row of trees or bank may constitute a fence" – the application fits the definition.
Section 403: R2 Lakeside Residential District page 46 – Uses by Special Use Permit (Hearing Required) includes Fences/Walls (4 ft. in height and greater).
Section 615 page 89 – Fences/Walls: C. Regulations: 2. Permits – Fences above 4 feet in height shall require a Special Use Permit and consideration will be given to visibility to adjacent properties, light and air movement, etc.
The ZBA had a number of questions regarding the row of arborvitae trees/bushes:

- What is the set back from the property line?
- How high will they grow to be?
- What is the distance from the lakefront?
- What is the distance from the road?
- Clarify the number of trees, specific variety of arborvitae and how tall they can grow (50 feet?)

- How long will the row of trees be?
- What is the diameter of each tree/bush when they are fully grown?

Motion: *Charles Armstrong moved, and Joe DeBoe seconded, a motion to request that the applicant answer the questions above and that ZBA table action on the Special Use Permit.*

Motion carried, unanimous.

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

Other Business:

Annual Training: Town Supervisor Rebecca Brumagin will pass along training opportunities to ZBA members when she receives them.

Use of Artificial Intelligence: Charles Armstrong apologized for not having the opportunity to research an AI product that might work well for documenting ZBA proceedings. He will look into it for the next ZBA meeting.

Alternate ZBA Member: No recommendation at this time.

Next Scheduled Hearing Date: The next ZBA meeting is scheduled for Wednesday, October 14, 2026 with the cut-off date to accept applications of Thursday, October 1, 2026.

Adjournment: The meeting was adjourned at 8:21 pm upon motion by Bryan Allison and second by Joe DeBoe.

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