

**Regular Meeting of the Great Valley Planning Board
Zoning Board of Appeals
February 9, 2022**

Present: Steve Ward (chairperson)
Amy DeTine
Al Puszcz
Jeff Ramsten

Others: Jake Alianello
Dan Brown
Becky Kruszynski
Rich Rinko
Dan Bialaszewski
LeighAnn Bialaszewski
Clarence Bickell
Kathy Nerogic

The meeting was opened by Steve at 7 PM with the Pledge of Allegiance.

Zoning Board of Appeals

Bialaszewski

Dan and LeighAnn Bialaszewski are looking to obtain an area variance for their property at 3893 Ellicott St. (tax map no. 73.066-1-8). They contacted Rich in March of 2020 (the onset of Covid 19) about re-roofing the existing garage and were told they wouldn't need a permit but anything else they would need a permit. They decided to do an addition and sent in the application. Rich never acted on the application so they took the non-response as approval. They added on to an existing non-conforming garage, that was built before zoning, which makes it more non-conforming and goes against Article 5 Section 5.5B of the Zoning Law. This was done in 2020. There will be a public hearing at next month's meeting on a date that has yet to be determined.

Sponeybarger

Randy and LaLonnie Sponeybarger of 3892 Ellicott St. (tax map no. 73.066-1-3) asked for a variance to add a structure to a non-conforming building. It was determined that a variance won't be needed because it won't increase the non-conforming, it will be within the setbacks, and it will be a legal use. It will be a code enforcement issue.

A motion to close the Zoning Board of Appeals meeting was made by Amy with a 2nd by Jeff. All in favor.

Planning Board

The Planning Board meeting was opened by Steve.

Minutes

A motion to accept the minutes from the January 12, 2022 meeting was made by Amy with a 2nd by Jeff with a change to paragraph nine. It should have read “**Dan and LeighAnn**

Bialaszewki are looking to obtain an area variance for their property at 3893 Ellicott St. (tax map no. 73.066-1-8). They submitted the SEQR to the board which will be discussed at the next meeting. Steve will let them know what other paperwork will be necessary for a complete application for review at the February 2022 meeting.” All in favor.

Manufactured Homes

The board continued their discussion on manufactured homes and wants to have Local Law No. 5 of 2021 repealed because it was specific to Mutton Hollow Rd. and they want it for the whole town. Jake did the following memorandum based on changes discussed.

MEMORANDUM

TO: CHRIS SCHENA, CHAIRMAN OF THE TOWN OF GREAT VALLEY PLANNING BOARD

FROM: JACOB A. ALIANELLO, PE

CC: DAN BROWN, GREAT VALLEY SUPERVISOR

DATE: FEBRUARY 9, 2022

RE: ZONING FOR MANUFACTURED HOMES - RECOMMENDATION FROM THE TOWN OF GREAT VALLEY PLANNING BOARD TO THE TOWN OF GREAT VALLEY TOWN BOARD FOR CONSIDERATION

Following discussion at several recent planning board meetings the Planning Board passed a resolution at their February 9, 2022 Regular Planning Board Meeting to recommend the following proposed zoning amendments to address the topic of Manufactured Homes and Mobile Homes in the Town of Great Valley.

The following draft amendments are presented with **new text in bold** and ~~deleted text struck out~~. *Italics* are used to provide context and to indicate the Article and/or Section of code being amended. Only the relevant portions of zoning sections subject to amendment are presented below and should be reviewed in context of the entire zoning.

Proposal to Repeal Local Law No. 5 of 2021

Local Law No. 5 of 2021, titled Amending Zoning Law to allow mobile homes, modular homes and trailers on Mutton Hollow Road by Special Use Permit, adopted by the Town of Great Valley Town Board on November 8, 2021 shall be repealed in its entirety.

Proposed Amendments to Article 2: Definitions

Manufactured Home: A factory-built home, **fabricated on or after June 15, 1976**, originally transportable, designed to be used as a year-round single-

family dwelling that is manufactured according to the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 United States Code Sec. 5401). A manufactured home is sometimes referred to as a "HUD Code home." The term "Manufactured Home" does not include a mobile home or recreational vehicle.

MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS CODE:

Title IV of the 1974 Housing and Community Development Act (42 U.S.C. § 5401 et seq) as amended (previously known as the federal "Mobile Home Construction and Safety Act"), rules and regulations adopted thereunder, which include Department of Housing and Urban Development (HUD) approved information supplied by the home manufacturer and regulations and interpretations of said Code.

Proposed Amendments Article 3: Districts and Regulations – Table 3-1: Land Use Table

<i>Use</i>	<i>AR</i>	<i>HRC</i>	<i>C-I</i>	<i>RR</i>	<i>HD</i>
<i>Residential</i>					
Manufactured homes on Individual lots		P SP	P SP	P SP	NP SP
NP					

Proposed Amendments Article 4: Supplementary Regulations

Section 4.4 ~~Manufactured Homes, Mobile Homes and Trailers~~

- A. Manufactured Homes on Individual lots.
 - (1) Where permitted in the Land Use Table of this Zoning Law, one Manufactured ~~or Mobile~~ Home may be located on a lot where a single family home is otherwise permitted.
 - Installation of a manufactured ~~or mobile~~ home shall be in lieu of a single-family home,
 - not in addition to a single family home.
 - (2) A Manufactured ~~or Mobile~~ home placed on a single family lot shall conform to the following requirements:
 - (b) The manufactured ~~or mobile~~ home shall be located as the principal use on the lot. The manufactured ~~or mobile~~ home shall be a minimum of ~~12~~ **24** feet wide, **except when an existing smaller unit is being replaced by a new unit of the same size.**
 - (e) The manufactured ~~or mobile~~ home shall conform to all required setbacks and other dimensional requirements of the zoning district in which it is located.

(f) The manufactured ~~or mobile~~ home shall be placed on a permanent foundation that meets the manufacturer's installation requirements and all state and local building codes.

(h) All manufactured homes/~~mobile homes~~, which are not installed on a permanent, enclosed foundation that is set below the frost line, shall have skirting installed. The skirting shall screen the entire space between the manufactured home floor and the ground and shall be installed prior to the issuance of an occupancy permit. All manufactured homes shall be completely skirted in an attractive manner. Materials used for skirting shall provide a finished exterior appearance and shall be similar in character to the material used in the manufactured home. Skirting shall be completed within thirty (30) days of the date the manufactured home ~~or mobile~~ home was placed on the site.

(i) No more than one manufactured ~~or mobile~~ home may be located on a lot, unless a special use permit has been granted for a Manufactured Home Park.

(j) When placing a manufactured home on an individual lot it is to be determined if an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties. It is further to be determined will this create an adverse effect or impact the physical or environmental conditions in the neighborhood or district.

(k) No manufactured home (new or replacement) may be installed on a lot, unless the unit has obtained a special use permit and been inspected at the time of installation by a person certified by the NYS Department of State as a manufacturer, retailer, installer, or mechanic, and the unit has received a manufacturer's warranty seal and/or an installer's warranty seal pursuant to Article 21-B of the NYS Executive Law and Title 19 NYCRR Chapter XXXII Part 1210 Manufactured Homes. A certificate of occupancy shall not be issued unless these seals are attached to the manufactured home as required in accordance with section NYCRR Title 19 Section 1210.16(g).

A motion to pass the memorandum to the Town Board if the Planning Board agrees with the changes was made by Amy with a 2nd by Jeff.

Jeff moved to adjourn at 8:10 PM with a 2nd by Al. All in favor.