

ZONING BOARD OF APPEALS MEETING MINUTES – FINAL
WEDNESDAY, APRIL 24, 2013

MEMBERS PRESENT:

Rocco Mancini, Chairman
Stephanie Fitzpatrick
Martin Otter
John Schneider
Phillip Zemke

MEMBERS ABSENT:

None

ALSO PRESENT:

Jack Campisi, Town Board Liaison

Chairman Mancini opened the meeting at 7:00 p.m.

Public Hearings:

- 1. Schmidt Area Variance** - Mr. Zemke motioned that the ZBA adjourn the public hearing for the Schmidt area variance application to be re-convened at the May 22nd ZBA meeting as per a memo submitted by Marie T. Welch, L.S. dated March 26, 2013. Mr. Otter seconded. All aye. Motion carried 4-0.
- 2. Cobble Pond of Milan** – Chairman Mancini re-opened the public hearing for Cobble Pond that was adjourned at the March meeting. He read a note submitted by the property owner, George Carrothers, requesting to withdraw the variance request for the size of the building since the Town Board passed the zoning change. Mr. Carrothers was present and said the Town Board voted at their last meeting to change the zoning code to allow a drive through business in the HB district and to change the size of a convenience store from the allowed 2,500 square feet to 4,000 square feet so since this project is less than 4,000 square feet, the variance is no longer required. The Board members agreed.

Mr. Zemke motioned to close the public hearing for Cobble Pond of Milan, Mr. Otter seconded. All aye. Motion carried 5-0.

Applications:

- 1. Ahlf Area Variance** – Cary and Martin Ahlf appeared regarding their variance application to construction a single family dwelling on property located at 559 Spring Lake Road, tax grid number 6474-00-105020. Mr. Ahlf said they are replacing a home that burned down last year but they are shifting the location. He submitted the final set of plans of the actual house drawings, including the floor plan. Mr. Ahlf said the old foundation is completely gone. This is a narrow lot so will require two side line setbacks and a variance from the required 300 feet minimum lot width at the building line. In discussion, it appears the side setbacks are 10 feet and 22 feet and the lot width at the building line is about 94 feet but the applicant will need to submit a drawing showing the exact measurements. Mr. Ahlf said the survey was re-done after the fire using the old survey and when it

was done, the old house was still partially there so that is why the old foundation is shown on the survey. Mr. Ahlf said he will submit the drawing showing the exact measurements no later than Monday of next week.

Mr. Schneider motioned to set the date for the public hearing for the Ahlf variance application for the May 22nd ZBA meeting pending receipt of the requested measurements. Ms. Fitzpatrick seconded. All aye. Motion carried 5-0.

2. **Mitchell/Miklau Area Variance** - The next applicants, Dale Mitchell and Marilyn Miklau, did not appear for their variance application to construct a privacy fence on property located at 1429 Jackson Corners Road, tax grid number 6573-00-822698. The Board discussed the application and had some questions. The dimensions on the plan are from the fence to the middle of the road and from the fence to the edge of the road. The applicant will need to supply the dimension from the fence to the property line. There are also two driveways shown on the survey. One needs to be removed if it is no longer being used. There are a number of boxes drawn in that are not identified. It is also unclear how close the fence comes to the entrance. The clerk will notify the applicants tomorrow that they need to submit a more detailed site plan showing the dimension from the fence to the property line, the fence in relation to the entrance, identify what the boxes are on the site plan, and which driveway is the one in use.

Administrative Items:

- Approval of Minutes: Ms. Fitzpatrick motioned that the Zoning Board of Appeals accept the minutes of March 27, 2013 as amended. Mr. Otter seconded. All aye except Mr. Zemke who abstained. Motion carried 4-0-1.

Mr. Zemke motioned to adjourn the meeting at 7:20 p.m. Mr. Otter seconded. All aye. Motion carried 5-0.

The ZBA next meeting will be held on Wednesday, May 22, 2013 at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board