

ZONING BOARD OF APPEALS MEETING MINUTES - FINAL
WEDNESDAY, SEPTEMBER 28, 2016

MEMBERS PRESENT:

Rocco Mancini, Chairman
Stephanie Fitzpatrick
Ingrid Kulick

MEMBERS ABSENT:

Phillip Zemke

ALSO PRESENT:

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

Public Hearings:

- 1. Black Dog Homes LLC Area Variance** – Todd Delgado from Black Dog Homes LLC was present for an area variance for a side setback for a shed on property located at 1261 Turkey Hill Road, tax grid number 6573-00-659546. Chairman Mancini read the legal notice that was posted in the paper and sent to neighboring landowners and opened the public hearing.

Todd Delgado said they have removed the existing house on this property and are building a brand new house where the footprint of the cottage was and expanded it going up and out. They have removed all of the other sheds and will remove the garage in the spring. They are using it for storage while they are building the house. There is one shed on the property that was in good shape but used to house a wood burning boiler. They removed the boiler and would like to use it as a storage shed. It has a concrete foundation and is in good shape. They framed it and mimicked the shape of the house. Currently, they are storing tools in there. Mr. Zemke said it's great what they have done with the property thus far. Those buildings were just dropped there illegally by the previous owner. The property has been cleaned up nicely. Mr. Delgado said they removed two dumpsters of trash from the property and thinned out the trees. The Board wanted assurance that the garage will be removed and Mr. Delgado said the building inspector was clear that he will not issue a Certificate of Occupancy until the garage is removed. There is no plan for a garage or carport for this property at this time.

Hearing no public comment, Mr. Zemke motioned to close the public hearing. Ms. Kulick seconded.

Rocco Mancini, Chairman	Aye	Adam Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulich	Aye		

Motion carried 5-0

The Board completed the Findings and Decision which stated that an undesirable change will not be produced in the character of the neighborhood or detriment to nearby properties because this is an existing structure, the benefit sought by the applicant cannot be achieved by a feasible alternative to the variance, the requested variance is not substantial, the variance will not have an adverse impact on the physical or environmental conditions in the neighborhood because this is

an existing structure, and the alleged difficulty is not self-created. The benefit to the applicant does outweigh the detriment to the neighborhood or community. There are no conditions placed on this variance.

Mr. Zemke motioned that the Zoning Board of Appeals approve the Findings and Decision for the Black Dog Homes LLC area variance. Ms. Fitzpatrick seconded.

Rocco Mancini, Chairman	Aye	Adam Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulich	Aye		

Motion carried 5-0

Applications:

- 1. Brooks Area Variance** - William Brooks was present for his area variance application to erect an amateur radio antenna 15 feet from the side property line where 35 feet are required and 65 feet in height where 35 feet is allowed on property located at 158 Sawmill Road, tax grid number 6472-00-091247 in the A3A zoning district. Dave Brooks said he wants to install the radio antenna for his own personal use. The zoning code allows structures up to 35 feet which is not high enough for a radio antenna to be effective. Consequently, he is requesting a height variance to 65 feet and a side yard variance from the required 35 feet to 15 feet. The antenna will be very close to the tree so it will blend in and be barely visible. He said he will paint the antenna a dark brown color. This is a freestanding antenna with no guide wires. He provided a sectional view of the towers. The lower sections are wider and then the antenna steps down in size. Mr. Zemke asked what the tower looks like. Mr. Brooks said essentially, it will mount in this area and go straight up through the tree. At the top will be a single pole antenna which he said he will paint to match the sky. That single pole is what brings the antenna up to 65 feet. It is set on a block foundation with a triangular base. The entire tower is around 600 to 700 pounds. Mr. Zemke said the application makes reference to 60 and 65 feet – which should it be? Mr. Brooks said 65 and amended the application. The Board asked about the proximity to the nearest building relative to the antenna’s stability. Mr. Brooks said the barn on the adjoining property is 65 feet away. The antenna is transparent to the wind and will be around trees so the trees will cut the wind down quite a bit. He said this tower is rated for a wind load on top of it with a concrete foundation. Mr. Zemke said in order for this application to be complete, he wants to see an illustration of the tower and what it will look like finished with dimensions.

Ms. Fitzpatrick motioned to schedule the public hearing for the Brooks area variance application for the October 26, 2016 ZBA meeting contingent upon receipt of a tower elevation drawing no later than Wednesday, October 12th. Mr. Zemke seconded.

Rocco Mancini, Chairman	Aye	Adam Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulich	Aye		

Motion carried 5-0

Discussion Items: None

Administrative Items:

- **Approval of Minutes:** Ms. Kulick motioned that the Zoning Board of Appeals accept the minutes of the August 31, 2016 meeting as presented. Ms. Fitzpatrick seconded.

Rocco Mancini, Chairman	Aye	Adam Schneider	Abstain
Stephanie Fitzpatrick	Aye	Phillip Zemke	Abstain
Ingrid Kulich	Aye		

Motion carried 3-0.

Ms. Kulick motioned to adjourn the meeting at 7:26 p.m. Mr. Zemke seconded.

Rocco Mancini, Chairman	Aye	Adam Schneider	Aye
Stephanie Fitzpatrick	Aye	Phillip Zemke	Aye
Ingrid Kulich	Aye		

Motion carried 5-0

The next regular meeting will be held on Wednesday, October 26, 2016 at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board