

ZONING BOARD OF APPEALS MEETING MINUTES – FINAL
WEDNESDAY, JULY 22, 2020

MEMBERS PRESENT:

Rocco Mancini, Chairman
Ingrid Kulick
John Schneider
Phillip Zemke

MEMBERS ABSENT:

Stephanie Fitzpatrick

ALSO PRESENT:

Debra Blalock, Town Board Liaison

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

Public Hearings: **None**

Applications:

1. **D’achille Area Variance** – Debbie Stanton from DS Electric was present as the authorized representative for the area variance application from Rae D’achille for a side yard setback variance from the required 35 feet to 20 feet for a generator on property located at 357 North Road, tax grid number 6572-00-781303. The generator has been installed due to a mix up in the requirements. Ms. Stanton said this is the best place for it due to the location of the chimney and the power source. It can’t go in the back as it would cost too much to run the power. The other side yard is way overgrown. All the power is located right in that area. It is propane run. The tank is about 20 feet from the generator. The generator is not visible from the road because it is so overgrown in that area. The board members asked if they could do a site visit and Ms. Stanton suggested they call Ms. D’achille to set that up. There doesn’t appear to be any structures on the adjoining lot.

Mr. Zemke motioned that the Zoning Board of Appeals declare this area variance to be a Type II action under SEQRA pursuant to 6 NYCRR Section 617.5c(16) requiring no further review. Ms. Kulick seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 4-0.

Mr. Zemke motioned that the Zoning Board of Appeals set the public hearing to be held at the August 19, 2020 meeting. Mr. Schneider seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 4-0.

2. **Oliveira Area Variance** – Ricardo Oliveira was present for his area variance application for a side setback variance to construct an attached garage having a side setback of 15 feet where 35 feet are required on property located at 164 Academy Hill Road, tax grid number 6571-00-154792. He recently bought the House and there is a garage at the beginning of the property but it's unsafe and must come down so he needs to build another one. His driveway is uphill and is difficult to get up in the winter time so he would like to construct the garage at the top of the driveway. However, where the garage needs to go is only 15 feet from the side setback line where 35 feet are required. Mr. Oliveira submitted a rendition of the garage to the board. It will have a second floor since he has a very small house and needs the room for storage. It will be an attached garage. At the present time, Mr. Oliveira said he is not financially ready to build the whole garage but he wants to blacktop his driveway right up to where the garage will be and do the slab. He is planning on building the garage in the spring of next year. Mr. Zemke said this is a pre-existing, non-conforming lot so he would need the variance no matter where he put the garage. When asked, Mr. Oliveira said the board is welcome to visit the site. The house is visible from the road but they are welcome to drive up and look around even if no one is home. Mr. Schneider said he is familiar with the property as he lives on Academy Hill Road.

Mr. Zemke motioned that the Zoning Board of Appeals declare this area variance to be a Type II action under SEQRA pursuant to 6 NYCRR Section 617.5c(16) requiring no further review. Ms. Kulick seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 4-0.

Mr. Schneider motioned that the Zoning Board of Appeals set the public hearing to be held at the August 19, 2020 meeting. Ms. Kulick seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 4-0.

Discussion Items/Correspondence: **None**

Administrative Items:

- **Approval of Minutes:** A motion was made by Mr. Schneider and seconded by Mr. Zemke that the Zoning Board of Appeals accepts the minutes of the June 24, 2020 meeting as presented.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	Abstain		

Motion carried 3-1-0.

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A motion was made by Mr. Zemke and seconded by Ms. Kulick to adjourn the meeting at 7:25 p.m.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 4-0.

The next regular meeting will be held on **Wednesday, August 19, 2020** at 7:00 p.m. at the Town Hall. **This is the third Wednesday in August.**

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board