

March 4, 2010 Town of Preble Zoning Board of Appeals minutes
Members present were; Chairman, Dan O'Shea, Bill Underwood and Bob Lieber.

Kay Vossler and Rudy Kobelia were absent. Town Supervisor Jim During and Town Attorney, Francis Casullo were also present.

Old Business

Andrew Kendall area variance application.

Attorney Chris Kendall, brother of the applicant was present to represent Andy Kendall.

Mr. Kendall reviewed the maps and proposed subdivision, proposed variances with the Board. Mr. Kendall stated that Lot number one conforms with zoning but Lot 2 and 3 do not. Lot number one has road frontage lots two and three do not. Mr. Kendall stated that it is not creating a new situation there are six or seven houses already in place.

Chairman O'Shea stated that, we have had similar issues before and as a Board could not find cause to grant a variant.

Chairman O'Shea stated, that we cannot change the law. The Town does not care for the road and no emergency equipment or trucks will be able to get down there, we would be adding more liability to the Town.

Board member Bill Underwood states that the road needs to be brought up to specs and he understands it will be costly.

Attorney Chris Kendall asked, what if the lots were reconfigured?

Otherwise you're telling the landowner he just has a field.

Chairman O'Shea stated if he wants to develop that he would have to build a road.

Chairman O'Shea stated that the code officer Rick Fritz denied the application due to road frontage. Chairman O. Shea called code officer Rick Fritz to clarify the reasons that he denied Mr. Andrew Kendall's variance request. Mr. Fritz stated that his other concern was the right of way.

Board decided to schedule a public hearing and forward the application to the Cortland County Planning Department for their input.

RESOLUTION

Board member Bob Lieber motions to hold a public hearing on April 1, 2010 at 7:30 PM and Bill Underwood seconded the motion.

Bob Lieber AYE

Bill Underwood AYE

Dan O'Shea AYE

Rudy Kobelia and Kay Vossler were absent. Sharon will publish in the Cortland standard and send notices to Mr. Kendall's neighbors.

NEW business

Linda Underwood variance application, Ms. Underwood would like to construct a new building on her property and will need a road frontage variance granted from the Board to do so. The proposed structure will be 96ft from the road rather than the required 100ft from the road. Board reviewed maps. She is unable to move the structure back further due to the rail road tracks.

RESOLUTION

Bob Lieber motioned to refer the Underwood and Kendall variance requests to the Cortland County Planning Department, and Dan O'Shea seconded the motion. Bob Lieber, AYE Chairman O'Shea, AYE and Bill Underwood AYE, 2 absent. Motioned carried.

RESOLUTION

Bob Lieber motioned to hold a public hearing on April 1, 2010 at 7:45 PM at the Preble Town Hall.

Bob Lieber, AYE, Chairman O'Shea, AYE and Bill Underwood, AYE
2 absent. Motion carried.

RESOLUTION

Bill Underwood motioned to approve the minutes from the March 4, 2010 meeting and Bob Lieber seconded the motion. Bob Lieber, AYE, Bill Underwood, AYE and Dan O'Shea , AYE , 2 absent.

Respectfully,

Sharon Cassidy Flint