

Meeting of the Zoning Board August 5, 2010. Meeting opened at 7:40

Members Present: Daniel O'Shea, Rudy Kobelia, Bob Lieber, Kay Vossler and Jim Doring Town Supervisor – also present Town Attorney Donald Armstrong

Jeff Griswold gave a short presentation at the opening of the meeting concerning the Town implementing a Workplace Violence Prevention policy. A policy needs to be formally adopted by the Town. This came about as a result of a Board safety audit.

Public Hearing opened at 7:45 P.M. on the application by Joe and Tarki Heath for a zoning variance. Joe Heath gave a presentation of their plans and the specifications of what was needed on the variance from the side-yard setbacks, being 4' on one side and 10" on the other side. Joe presented maps showing the proposed addition to his Song Lake Home. The public was invited to comment and positive comments were received from Debby Brock and Rhea Jezer. The hearing closed at 8:50 PM

The Board then completed the SEQR by answering the Part C questions and noted the application was complete.

## **RESOLUTION**

Robert Lieber moved to accept the determination of a negative declaration, second by Rudy Kobelia, all in favor, the motion carried. Findings: **Whereas**, the proposed variance will not produce an undesirable change in the character of the neighborhood; and **Whereas**, the benefit sought by the applicant cannot be achieved by some other feasible method; and **Whereas**, the requested variance is not substantial; and **Whereas**, the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and **Whereas**, the difficulty was not self created, and **Whereas**, the positive action will preserve several old oak trees.

**Therefore let it be Resolved** that the area variance application of Joseph and Tarki Heath is hereby granted. Motion by Robert Lieber, seconded by Rudy Kobelia, all in favor, the motion carried.

**RESOLUTION:** To approve minutes of previous meeting of July 1, 2010, with corrections. Motion made by Kay Vossler, Seconded Rudy Kobelia, all in favor, motion carried.

**NEW BUSINESS:** Town attorney Donald Armstrong advised the Board that Frank Sarat had commenced an Article 78 proceeding against the Town concerning the Preble Congregational Church sign. Don will provide copies to the Board.

Motion made to move into Executive Session for the purpose of discussing litigation at 8:10 PM. Motion made by Robert Lieber, seconded Rudy Kobelia, all in favor, the motion carried.

Motion to return from Executive Session at 8:30 P.M. Motion made by Robert Lieber, seconded by Rudy Kobelia, all in favor, the motion carried. There being no further business, the meeting adjourned.

Mary Anne McCloskey, Secretary  
Minutes of the Zoning Board, August 5, 2010