

## **MINUTES OF THE ZONING BOARD – November 3, 2011**

The meeting opened at 7:30 PM. Members present, Daniel O’Shea, Linda Riehlman, , and Robert Lieber. Members absent: Amy Bertini, Kay Vossler. Also present, Town attorney Katie Sullivan.

**PUBLIC HEARING ON THE APPLICATION OF THOMAS KILE:** Mr. Kile has filed an application for an area variance to erect a large garage. Mr. Kile was asked if he had spoken to his neighbor concerning the project and he stated he had not. Per Town Attorney, Katie Sullivan, County Planning has determined the application is technically correct and has referred the application to the Town without review. The Board had no further questions of the applicant and there were no public comments. **Motion to close the Public Hearing made by Robert Lieber, seconded by Linda Riehlman, all in favor, the motion carried and the hearing closed at 7:35 PM.**

The Board then completed its impact assessment and found no negative or adverse impacts concerning the variance request and that the proposed action will not result in any significant adverse environmental impacts. The Board then made the following findings concerning the Thomas Kile application:

Whereas, the use permit is not substantial and will not cause any undesirable change in the character of the neighborhood by the granting of a variance; and whereas, the use permit is not substantial; and whereas the alleged difficulty was not self-created and the placement of the garage is largely hidden from view, there is currently one shed on the property, and it cannot be easily located elsewhere. Motion made by Robert Lieber, seconded by Linda Riehlman to grant the variance at 6404 Route 11, all in favor, the motion carried and the variance is granted. Mr. Kile was advised he can now apply for a building permit.

**PUBLIC HEARING ON THE APPLICATION OF DANIEL SWEENEY.** The hearing opened at 7:45 PM. Mr. Sweeney has applied for an area variance to build a garage. He brought in a letter from his neighbor David Morse stating he agreed to allow Mr. Sweeney to build his garage 12 ft. from the property line. There were no further public comments and Town Attorney Sullivan said County Planning had also returned the application to the Town without further review. The hearing closed at 7:40 PM.

The Board then completed its impact assessment and made a negative declaration on motion made by Linda Riehlman, seconded by Robert Lieber, all in favor, the motion carried, and the Board made the finding the variance request would have no significant environmental impacts. The Board then made the following findings on the Daniel Sweeney application:

Whereas, the use permit is not substantial and will not cause any undesirable change in the character of the neighborhood by the granting of an area variance; and whereas, the benefit sought by the applicant cannot be achieved by some other method other than the area variance; and whereas the difficulty was not self-created and the new garage will replace a smaller existing garage. Motion made by Robert Lieber, seconded by Linda Riehlman to grant the variance at 1839 Preble Road, all in favor, the motion carried and the variance was granted. Mr. Sweeney was advised he can pick up his building permit.

Old Business: Minutes of the previous meeting were reviewed. Motion made by Linda Riehlman, seconded by Robert Lieber to accept the minutes as written, all in favor, the motion carried and the minutes approved.

Motion to adjourn at 7:50 PM, made by Linda Riehlman, seconded by Robert Lieber, all in favor, the motion carried and the meeting adjourned.

Respectfully submitted,

Mary Anne McCloskey, Secretary.