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**Members Present**

Kary Jablonka  
Adrian Ooms (7:15)  
Suzanne Williams  
Robert Leary, Acting Chairman  
Mike Hart  
Tal Rappleyea, Atty.  
Walt Simonsmeier, ZEO

**Members Absent**

David Everett  
Mitchell Khosrova

**Public Present**

Michelle Fleischmann  
Jack Hornish      Ron Frering

The October 26, 2006 Zoning Board of Appeals meeting was called to order by Acting Chairman Robert Leary at 7:00 PM. The Pledge of Allegiance was recited. Because of Thanksgiving, the next Zoning Board meeting will be held the 5<sup>th</sup> Thursday of November---on November 30, 2006. Suzanne Williams asked what the status was of the Damon project, since the overhang to her barn must be removed, and Walt Simonsmeier reported that she has until November 1 to complete this removal.

**JERROLD AND MARY GILBERT- REQUEST FOR A VARIANCE  
WHICH WOULD ALLOW AN ADDITION TO BE BUILT ON HOUSE,  
THAT DOES NOT MEET SIDE SETBACKS    INFORMATIONAL**

Ron Frering is representing the applicants. The existing house was built in the 1800s. The request is for a 13' variance which would permit an addition (family room with a cathedral ceiling and no plumbing) to be built. There will be no regular windows facing the side that doesn't meet the setbacks. Mr. Frering stated that none of the houses in this area can meet setbacks. A Public Hearing was scheduled for next month. Letters will be sent advising of the Hearing by the applicant.

**MICHELLE FLEISCHMANN- REQUEST FOR A USE PERMIT TO  
ALLOW AN "IN-LAW" APARTMENT    INFORMATIONAL**

Because of the zoning, a special use permit would be needed for a 2-family home, since the Chatham Town Code does not recognize an in-law apartment. The application was reviewed, and a Public Hearing was set for the November 30<sup>th</sup> meeting. The applicant was advised of notification letters that must be sent to the adjoining property holders.

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Kary Jablonka moved and Suzanne Williams seconded that the meeting minutes from last month's meeting be accepted. This carried, with Mike Hart abstaining from the vote due to his absence last month.

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**SIDE DOOR GRILLE- REQUEST FOR A VARIANCE WHICH WOULD ALLOW THE USE OF A SIGN WITH INTERCHANGEABLE LETTERS INFORMATIONAL**

The owner of the establishment did not know that the sign was against code, as he purchased the business and was not informed. He would like to continue using the sign, which would display the name, the phone number, and specials for both the grille and the bowling alley. Acting Chairman Robert Leary stated that the present sign does not comply with zoning requirements, while Kary Jablonka said that the ordinance is inconsistent. Mike Hart asked what the actual violation was. Mr. Simonsmeier said that a building permit was never applied for, and he feels that this is a bulletin board sign, which is not allowed. Mike Hart asked how long the sign has been displayed, and Mr. Simonsmeier said that it has been in use for about a year and a half, and it still hasn't been settled. Mike Hart asked if this could be treated as a variance and an interpretation of Chapter 180-32-E1-8 in the Town of Chatham Code." The answer was no. Mike went on to state that the subject of businesses and signs have had lengthy discussions during Steering Committee meetings for the comprehensive plan. Suzanne Williams moved that this request does not require a Public Hearing since this is a request for a business sign and it is both legal and consistent with the Code, once the building permit is attained. This was seconded by Kary Jablonka and approved with 4 affirmative votes and 1 negative vote (Robert Leary).

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Mike Hart thanked the Zoning Board for sending a letter to the Comprehensive Plan committee regarding animals in the different zones. The steering committee has passed this along to the Town Board, who will take action on this subject. There will be a meeting regarding this on November 16<sup>th</sup> at 6:00 PM.

Suzanne Williams moved and Mike Hart seconded that the meeting be adjourned. The meeting ended at 7:54 PM.

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Robert Leary, Acting Chairman

Respectfully submitted,

Marilyn Cohen, clerk