
Members Present:

Kary Jablonka
Adrian Ooms
Mike Hart
David Everett, Chairman
Mitchell Khosrova
Robert Leary
Walt Simonsmeier, ZEO

Members Absent:

Suzanne Williams

Public Present:

John Henkel
Stephen Hermance
Elle Dietemann

The February 22, 2007, Zoning Board of Appeals meeting was called to order at 7:00 PM by Chairman David Everett. The Pledge of Allegiance was recited. Mitchell Khosrova moved and Kary Jablonka seconded that the minutes from the previous meeting be accepted. This carried.

**JOHN HENKEL- REQUEST FOR A VARIANCE TO CONSTRUCT A BARN AT 116 HARRIS RD.
INFORMATIONAL**

Mr. Henkel submitted a second plan so the Board could choose which map to follow. The applicant was told he could choose one to pursue, and Mr. Henkel selected the plan he submitted at this meeting. The Board reviewed the plan, and stated the need for a survey so the correct variance could be given. A Public Hearing will be set for the next meeting.

**TACONIC TELEPHONE (FAIRPOINT COMMUNICATIONS)- REQUEST FOR A PUBLIC UTILITY
SPECIAL PERMIT FOR A STATION LOCATED ON RT. 203 IN NORTH CHATHAM
INFORMATIONAL**

Steve Hermance is representing Fairpoint Communications. He spoke of a new piece of equipment located where Dorn Rd., Rt. 203 and CR 17 intersect. He was not aware that a permit was required, since there has been equipment at this site since 1999. What was in place since that time can no longer handle the communications' needs of the area, and much of the area needs to be serviced from equipment in Nassau. The larger switch can provide more to more people. One of the existing three pieces will be removed by June. These pieces sit on a state right-of-way. Mike Hart asked if there was proof that the equipment is located on the state right of way. Mr. Hermance replied that he doesn't have one, and is not aware that one exists. David Everett added that the equipment, being so close to the road, may actually be in the town's right-of-way. A survey of this piece is needed to show who owns this property, and an approval letter is also needed. Elle Dietemann stated that she believes that this is on her property. Robert Leary questioned Mr. Hermance as to what brought him to tonight's meeting. There was a noise complaint, which Mr. Hermance stated has been taken care of, with a change of equipment. He also stated that they are willing to put trees up to shield the area. Mr. Hermance was referred to Section 180.22, which itemizes everything the Board will be looking at in order to approve this request. The applicant stated that the reason they selected this spot was because it has been used since 1999. Mitchell Khosrova requested that the applicant complete the application form, as well as the SEQRA form, in greater detail. A long-form SEQRA review will also be needed.

Mr. Hermance was provided with this form. ZEO Walt Simonsmeier stated that Mr. Hermance had already shown him a permit for this area from the NY state Department of Transportation from 1998. However, that had not been submitted in the packet. Chairman Everett requested that this information also be included, but that a survey must be done. He suggested that the applicant contact the Department of Transportation, as they may have a map. Elle Dietemann had a question regarding the cable construction, which Mr. Hermance provided. This project will be continued next month with additional information gathering.

Mike Hart reported that he will be resigning from the Zoning Board of Appeals effective the end of March, as he has been appointed to a judgeship in the Town. The Board offered congratulations to him.

Mike Hart moved and Robert Leary seconded that the meeting be adjourned. The meeting ended at 7:48 PM.

David Everett, Chairman

Respectfully submitted,

Marilyn Cohen, clerk