
ZBA Members Present:
Daniel Persing, Chairperson
Stephen Day
Adrian Ooms
Chris Spencer
Tal Rappleyea – Town Attorney
Absent - Christie Ellis

Public Present:
Vance Pitkin, Jeff Melander
Josh Schapiro, Richard Sardo

The meeting was called to order at 7:05 PM via google meets online.

A Motion to approve the February 27, 2020 meeting minutes as written was made by Mr. Day with a second from Mr. Spencer, all in favor motion carried.

Chairman Persing begins by explaining the format and meeting process.

Public Hearing:

An Application for an Area Variance from Jeffrey Melander & Kate Antonovich located at 116 Chapel Dr. Ext., Tax ID#24.1-17, to allow a pool that requires a 20' side-yard variance of the required 50'.

Chairman Persing reviews the comments received from the public.

A motion to open the Public Hearing was made by Mr. Day with a second from Mr. Spencer, all in favor motion carried.

Chairman Persing asks if there is anyone from the public that would like to speak, no response.

A motion to close the Public Hearing was made by Mr. Day with a second from Mr. Spencer, all in favor motion carried.

Mr. Spencer asks if they can review the application since it has been a few months, Mr. Melander explains the location of the pool and the variance for the side yard. Mr. Spencer asks if this is the most feasible location, Mr. Melander states it is due to the slopes of the yard, the driveway is in the front yard and the leech field and septic are within the setback area. Mr. Spencer states he is satisfied with the backwash concern. Chairman Persing states they now have the 5 findings of fact questions to consider:

1. Is there an undesirable change to the neighborhood – None.
2. Can the benefit be achieved in any other manner – No due to topography of the land and other structures, etc..
3. Is the variance substantial – Yes it's about a 40% variance
4. Is there an adverse effect on the physical environment – Yes, but minimal
5. Was it self-created – Yes

A motion to approve the Application for an Area Variance was made by Mr. Spencer with a second from Mr. Day, all in favor motion carried.

New Business:

An Application for an Area Variance from Jeanette Neff located at Decker Road Tax ID#36.-1-49, to allow a 25 foot road frontage.

Josh Schapiro the property owner explains the history of the 72 acre parcel, Chairman Persing confirms this is just for the potential 11 acre parcel on Decker Road for the frontage. Mr. Sardo states the parcel was 4 lots and was merged in 1960 and the driveway is there on Decker Road but is grown over. Chairman Persing asks about the access from Cotter Road, Mr. Sardo states they would have to do an easement with the other parcel but there is a private road. Chairman Persing asks if there is an easement already, Mr. Sardo states there isn't since it is one parcel now. Mr. Rappleyea states Chapter 180 has a map that shows calculations for an irregular lot and a variance may not be needed, Chairman Persing states they need to make that determination and would also like a photo of the location from Decker Road.

Motion to determine the application not complete was made by Mr. Spencer with a second from Mr. Ooms, all in favor motion carried.

Chairman Persing states the Application is tabled till June, Mr. Sardo states he will show the drive on Cotter Road, the wetland map and the picture of the Decker Road entrance. Chairman Persing states to add the Septic, wells and utilities as well.

A motion to adjourn the meeting was made by Mr. Day with a second from Mr. Ooms and the meeting adjourned at 8:06 PM.

Daniel Persing, ZBA Chairman
June 23rd, 2020

Respectfully submitted by
Erin Reis, ZBA Clerk