

## **· ZBA MEETING MINUTES, APRIL 24, 2008**

Having determined that a quorum was present, Chairman Howard Harris called to order the April 24th Meeting of the Zoning Board of Appeals. Seconded by Linda Tiano. There being no objection, the action was adopted. Chairman Harris introduced the members present: Joanne Anthony, Linda Tiano, Peter Carberry, Howard Harris, Secretary/Alternate Marie Lourenso. Absent: Tony Padalino.

### **1. ADMINISTRATIVE MATTERS**

- **Changes/Additions to the Meeting Agenda.** There were no changes to the agenda.

- **Approve Draft Meeting Minutes of April 10<sup>th</sup>.** Chairman Harris moved to accept the draft ZBA Meeting Minutes of April 10<sup>th</sup> as corrected. Seconded by Linda Tiano. Motion passed 4-0-1-0.

- **Approve Draft Public Hearing Minutes of April 10<sup>th</sup>.**

**#08-10. Curry Rinzier.** Chairman Harris moved to accept the draft public hearing minutes of this case as corrected. Seconded by Linda Tiano. Motion passed 4-0-1-0.

**#08-12. Tracy & Michael O'Connell.** Chairman Harris moved to accept the draft public hearing minutes of this case as submitted. Seconded by Linda Tiano. Motion passed 4-0-1-0.

**#08-13. James & Tami Kennedy.** Chairman Harris moved to accept the draft public hearing minutes of this case as submitted. Seconded by Linda Tiano. Motion passed 4-0-1-0.

### **3. DECISIONS & ORDERS OUTSTANDING**

**#08-13. James & Tami Kennedy.** Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 4-0-1-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 4-0-1-0.

**RESOLUTION:** Based upon the Standards for Consideration of Area Variances, an Area Variance from the Zoning Law of the Town of Woodstock for a variance from Area and Bulk Regulations, Minimum Lot Area, Section 4A-3a, to reduce a legal 2.16 acre lot to its previously legalized size of 1.79 acres is hereby granted subject to binding requirements of NYS Real Property Law and/or other applicable Laws.

The vote was announced as follows: Joanne Anthony, Aye, Peter Carberry, Aye, Howard Harris, Aye, Linda Tiano, Aye.

**THE RESOLUTION WAS ADOPTED** by a vote of four in favor, none opposed, one absent, and none abstaining.

**#08-12. Tracy & Michael O'Connell.** Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 4-0-1-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 4-0-1-0.

**RESOLUTION:** Mr. Carberry read as follows: Based upon the Standards for Consideration of Area Variances, an Area Variance from the Zoning Law of the Town of Woodstock, Supplementary Regulations Parking and Loading Standards, Section 5B-2b, in order to construct two residential parking spaces in a front yard where parking is not allowed, is hereby granted with the condition that all binding legalities with the Planning Board are adhered to. Subject to binding requirements of NYS Real Property Law and/or other applicable Laws.

The vote was announced as follows: Joanne Anthony, Aye, Peter Carberry, Aye, Howard Harris, Aye, Linda Tiano, Aye.

**THE RESOLUTION WAS ADOPTED** by a vote of four in favor, none opposed, one absent, and none abstaining.

**#08-10. Curry Rinzier.** Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 4-0-1-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 4-0-1-0.

**RESOLUTION:** Based upon the Standards for Consideration of Area Variances, an Area Variance from the Zoning Law of the Town of Woodstock, Section 5, Supplementary Regulations, Fences, Walls, & Gates, Section 5D-1, are granted as follows: 1. To allow a previously installed 14 foot long, 6 foot high gate. 2. To construct a 6 foot high, measured from grade to the highest point, wooden privacy fence, 3 feet from the western property line. This will begin at a point even with the north face of the residence and continue north for a distance of 80 feet. 3. To construct a 6 foot high mesh deer fence, which will begin at a point where the new wooden fence ends and will continue east to the 14 foot long, 6 foot high metal gate. At the southern side of the metal gate, the 6 foot high mesh fence will continue in a southeasterly direction to a point even with the north fence of the residence and meet at the already existing 6 foot high mesh fence. Subject to binding requirements of NYS Real Property Law and/or other applicable Laws.

The vote was announced as follows: Joanne Anthony, Aye, Peter Carberry, Aye, Howard Harris, Aye, Linda Tiano, Aye.

**THE RESOLUTION WAS ADOPTED** by a vote of four in favor, none opposed, one absent, and none abstaining .

#### **4. REVIEW CASES RECEIVED/SCHEDULED for 5/8/08 meeting**

Case #08-15 - Dan & Lolly Rubinstein; Mr. Padalino.

Case #08-16 - (No name stated); Ms. Tiano.

Chairman moved to adjourn the meeting at 7:35. Seconded by Ms. Tiano. Motion passed 4-0-1-0.