

ZBA MEETING MINUTES
January 10, 2008

Having determined that a quorum is present, Chairman Howard Harris called to order the January 10, 2008 Meeting of the Zoning Board of Appeals. There being no objection, the action was adopted. Chairman Harris introduced the members present: Tony Padalino, Linda Tiano, Howard Harris, and Alternate Marie Lourenso. Peter Carberry and Joanne Anthony were absent, but arrived later.

1. ADMINISTRATIVE MATTERS

- **Changes/Additions to the Meeting Agenda.** Chairman Harris moved to nominate Mr. Tony Padalino, the Vice Chair, to the term running concurrent with the Chairman. Seconded by Linda Tiano. Motion passed 3-0-1-2. Mr. Padalino abstained.

- **Approve Draft Meeting Minutes of November 8, 2007.** Chairman Harris moved to accept the draft ZBA Meeting Minutes of November 8th as submitted. Seconded by Linda Tiano. Motion passed 4-0-0-1.

- **Approve Draft Public Hearing Minutes of November 8th.**

#07-1538, Kurt Sulzbach. Chairman Harris moved to accept the draft public hearing minutes of this case as submitted. Seconded by Linda Tiano. Motion passed 4-0-0-1.

#07-1539, Winne. Chairman Harris moved to accept the draft public hearing minutes of this case as submitted. Seconded by Linda Tiano. Motion passed 4-0-0-1.

#07-1540, Wilber. Chairman Harris moved to accept the draft public hearing minutes of this case as submitted. Seconded by Linda Tiano. Motion passed 4-0-0-1.

#07-1534, Adler Interpretation. Chairman Harris moved to accept the draft public hearing minutes of this case as submitted. Seconded by Linda Tiano. Motion passed 4-0-0-1.

Special Meeting on December 17, 2007. Chairman Harris moved to accept the draft ZBA Special Meeting Minutes as submitted. Seconded by Linda Tiano. Motion passed 4-0-0-1.

3. DECISIONS & ORDERS OUTSTANDING

#07-1534. Cyrus & Nancy Adler.

4. BOARD DISCUSSION.

#07-1534. Cyrus and Nancy Adler. Chairman Harris asked if Members had reviewed the information for this case. The only question remaining is an item from Koplowitz and Futerfas letter, paragraph 2, which says the property is zoned R1.5. Chairman Harris thought Gateway Overlay should be included. Also, in the letter, paragraph 4, it said that once the barn was converted to one commercial use, the structure lost the right to place a second commercial use there. Chairman Harris wanted it in writing that there is one retail-commercial use and no right to place a second retail-commercial use there.

Chairman asked Members for a consensus on what the lawyer had said and what they had read in the zoning law. Would two retail uses be allowed? Mr. Padalino said no, two retails not allowed under the law. Ms. Anthony said no. Ms. Tiano said no. Mr. Carberry said no. The Chairman said he concurred and told Mr. Padalino to write it up.

Ms. Adler asked to take photographs of the Board so the people of Woodstock can see who the Zoning Board consists of. Chairman allowed this.

#07-1542. John & Elizabeth Sopata. Chairman Harris asked the Board Members if they felt this variance request should be granted. Mr. Carberry said yes. Ms. Anthony said yes. Mr. Padalino said yes. Ms. Tiano said yes. Mr. Harris said yes.

#07-1541. Timothy Smyth. Chairman Harris said Board would wait until drawings are received, and then work something out whereby the minimum can be done. Mr. Padalino thought the Applicant should scale it down.

#07-1543. James Nelson. The Chairman asked Members of the Board if they had reviewed the information for this case. He took a consensus of the Board as to whether or not the building planned by the Applicant would be allowed. Mr. Carberry said no. Ms. Tiano said no. Mr. Padalino said no. Ms. Anthony said no. The Chairman concurred.

#07-1544. Daniel Yun. Actions to be determined after site visit by Ms. Tiano and the Chairman.

Chairman Harris moved to adjourn the meeting. Seconded by Linda Tiano. Motion passed 5-0-0-0.