

Main Identity

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Sent: Wednesday, July 16, 2008 11:17 AM
Subject: ZBA July 10 final

ZBA MEETING MINUTES, JULY 10, 2008

Having determined that a quorum was present, Chairman Howard Harris called to order the July 10th 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, Peter Carberry (7:15), Linda Tiano, Howard Harris, Tony Padalino.

Absent: Secretary/Alternate Marie Lourenso.

1. ADMINISTRATIVE MATTERS

- **Changes/Additions to the Meeting Agenda.** A discussion about the Maggio/Oster case was added. Also, the motion of business cards was proposed by Mr. Padalino.

- **Approve Draft Meeting Minutes of June 26th.** Chairman Harris moved to accept the draft ZBA Meeting Minutes of June 26th as submitted. Seconded by Linda Tiano. Motion passed 4-0-0-1.

- **Approve Draft Public Hearing Minutes of June 26th.**

#08-24. Margaret Cammer & Joan Snyder. 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.

#08-25. Beryl Goss. An amendment was added to make the distance from the property line to the house 23 feet instead of 25 feet. This is the final amendment, said Chairman Harris. Chairman Harris moved to accept the draft public hearing minutes of this case as corrected. Seconded by Linda Tiano. Motion passed 4-0-0-1.

#08-26. Shawn DeLisio & Jennifer Bousliman. 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.

#08-27. Paula Chandler. 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.

3. DECISIONS AND ORDERS OUTSTANDING

#08-15a. Dan & Lolly Rubinstein.

Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 5-0-0-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 5-0-0-0.

RESOLUTION: Based upon the facts listed below, it is the interpretation of this Board that the structure as presented is in violation of the Zoning Laws of the Town of Woodstock, Supplementary Regulations, Artist's Studio, Section 5AA-2.

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

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

#08-22. Application of 138 Tinker Street, LLC.

Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 5-0-0-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 5-0-0-0.

RESOLUTION: Based upon the Standards for Consideration of Area Variances, an Area Variance from the Zoning Law of the Town of Woodstock, Area and Bulk Regulations, Section 4A-6e, as modified by Section 4K-1, Modification of Required Yards, for a 6' infringement into a minimum required 40 foot front yard, in order to construct a handicapped ramp along Orchard Lane, 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, Tony Padalino, Aye, Linda Tiano, Aye.

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

#08-24. Margaret Cammer & Joan Snyder.

Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 5-0-0-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 5-0-0-0.

RESOLUTION: Based upon the Standards for Consideration of Area Variances, an Area Variance from the Zoning Law of the Town of Woodstock, Area and Bulk Regulations, Minimum Yard Requirements, Section 4A-2f, for an 8' infringement into the minimum required 75 foot side yard, in order to construct an 840 sq. ft. addition to the existing residence, 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, Tony Padalino, Aye, Linda Tiano, Aye.

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

#08-25. Beryl Goss.

Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 5-0-0-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 5-0-0-0.

RESOLUTION: Based upon the Standards for Consideration of Area Variances, an Area Variance from the Zoning Law of the Town of Woodstock, Area and Bulk Regulations, Modification of Required Yards, Section 4K-2b, for a 2' infringement into a minimum required 25 foot front yard setback, in order to construct a 9' x 17' addition, 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, Tony Padalino, Aye, Linda Tiano, Aye.

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

#08-26. Shawn DeLisio & Jennifer Bousliman.

Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 5-0-0-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 5-0-0-0.

RESOLUTION: Based upon the Standards for Consideration of Area Variances, an Area Variance from the Zoning Law of the Town of Woodstock, Area and Bulk Regulations, Accessory Structures and Features in Yards, Section 4I-2, in order to construct a 22' x 37' 9" swimming pool in the front yard, which is only permitted in the side and rear yards, 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, Tony Padalino, Aye, Linda Tiano, Aye.

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

#08-27. Paula Chandler.

Chairman Harris moved to reopen the recessed public hearing of this case for the purpose of voting. Seconded by Linda Tiano. Motion passed 5-0-0-0. Chairman Harris moved to close the public hearing of this case. Seconded by Linda Tiano. Motion passed 5-0-0-0.

RESOLUTION: Based upon the Standards for Consideration of Area Variances, an Area Variance

from the Zoning Law of the Town of Woodstock, Area and Bulk Regulations, Minimum Yard Requirements, Section 4A-2e, as modified by Section 4K-1, and 4K-2c, for a 51' infringement into a minimum required 75 foot front yard setback, in order to construct a proposed boiler enclosure, and a 59' infringement into a minimum required 75 foot front yard setback, in order to construct a proposed wood shed, are hereby denied.

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

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

4. REVIEW CASES RECEIVED/SCHEDULED for July 24, 2008 meeting

#08-30. James Conrad; Mr. Padalino.

#08-29. Dorothy Goren; Ms. Anthony.

5. OTHER.

Maggio/Oster case was discussed.

Motion by Chairman Harris to adjourn at 8:24. Motion passed unanimously.