

**Horicon Zoning Board of Appeals  
Minutes**

**November 27, 2012  
7:00PM**

**Present:** Gary Frenz, Chairman  
Cheryl Erickson, Vice-Chair  
Priscilla Remington, Member  
Carl Heilman, Member  
Thad Smith Member  
Bob Miller, Alternate Member  
Charles Lewis, Alternate Member

**Also:** Mike Hill, Town Counsel  
Jim Steen, Zoning Administrator  
  
Matt Simpson, Town Board Member  
Bob Olson, Town Board Member  
Bill McGhie - Planning Board Member  
Tom Johansen, Jim Hughes

| <u>Agenda Items:</u> | <u>File #</u> | <u>Tax Map #</u> | <u>Applicant's Name</u>     |
|----------------------|---------------|------------------|-----------------------------|
|                      | 2012-12AV     | 71.16-1-18       | Dwyer, Erickson & Schwaljje |
|                      | 2012-22AV     | 88.10-1-21       | Doberman and Palermo        |

The regular meeting was called to order by Chairman, Gary Frenz at 7:00PM.  
Gary Frenz welcomed Charles Lewis as an Alternate Member.

**Minutes:** Cheryl made a motion to approve the corrected minutes of September 2012, 2<sup>nd</sup> by Thad Smith. All Ayes.  
Priscilla Remington made a motion to approve the corrected minutes of October 2012, 2<sup>nd</sup> by Carl Heilman. All Ayes except Bob Miller who was not present for the October meeting.

**UNFINISHED BUSINESS:**

|                           |  |
|---------------------------|--|
| <b>File #</b>             | <b>2012-12AV</b>   |
| <b>Tax Map #</b>          | <b>71.16-1-18</b>  |
| <b>Property Location:</b> | <b>Palisades Road</b>  |
| <b>Request:</b>           | <b>Area variance for Dock Design (E shape)</b>                                   |
| <b>Property Owners:</b>   | <b>Dwyer, Richard &amp; Maureen; Erickson, Peter and Carol; Schwaljje, James</b> |

The Applicant has withdrawn the application, per letter received November 7, 2012.

**PUBLIC HEARING:**

|                          |   |
|--------------------------|---|
| <b>File #</b>            | <b>2012-22AV</b>                                      |
| <b>Tax Map #</b>         | <b>88.10-1-21</b>                                     |
| <b>Property Location</b> | <b>25-27 Market St</b>                                |
| <b>Request:</b>          | <b>50' Road frontage variance to subdivide parcel</b> |
| <b>Property Owner:</b>   | <b>Frank Doberman and John Palermo</b>                |

Jim Hughes stated that the old town hall property has a total of 1.37 acres and the owners wish to separate the apartment parcel to make it more sellable, but needs a 50 foot road frontage variance as 100 feet is required in the 20,000 square foot zone, the property is proposed to be "L" shape to give room for a new septic and well, there are fuel fill pipes located in the back of the old town hall and there is appropriate room for the pipes.

Mike Hill stated that the parcels were joined for tax assessment purposes as there are four deed references shown on the survey map for Nash.

Cheryl Erickson asked to be reminded of the driveway situation

Jim Hughes stated that the apartment building will have 50 feet of asphalt driveway with direct access to the apartment building.

Gary Frenz asked if there were any other questions.

Cheryl Erickson made a motion to close the public hearing, 2<sup>nd</sup> by Priscilla Remington. All Ayes.

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The board reviewed the criteria: 1) Whether the benefit can be achieved by other means feasible to the applicant; This configuration of the lots follows the natural boundary and could not be increased more than 50 feet.  
 2) Will there be an undesirable change in the neighborhood character or to nearby properties; there is no further development proposed, no physical changes, the proposed lots are within the 20,000 square foot zone and this would make the lots more appealing to a purchaser.  
 3) Whether the request is substantial; 50 percent increase but the only way to accomplish the subdivision.  
 4) Whether the request will have an adverse physical or environmental effects; the proposal will not have any adverse physical or environmental effects as there is a pre-existing driveway, no new driveways are being created, the parking lots are macadam.  
 5) Whether the alleged difficulty is self-created; The owners acquired the property in it's present configuration and have spent several years trying to sell it and the old town hall has not been in use, this could make the properties more appealing to a purchaser.  
 Is this the minimum variance necessary; This request for a 50 foot variance could not be increased any further, this follows the natural boundary of the buildings existing.  
 This project is exempt from SEQRA review.  
 Cheryl Erickson made a motion to approve the 50 foot road frontage variance to subdivide parcel per the discussion, 2<sup>nd</sup> by Thad Smith. All Ayes.

**BOARD PRIVILEGE:**

**Vouchers:** All members were asked to complete their vouchers.

**Calendar:** The 2013 meeting dates were distributed to the members

**2013 Training:** Gary Frenz stated that the Town Board will not be sponsoring any outside training for ZBA or Planning Board members for 2013 and will be setting up all training to be done in-house. Bob Olson stated that Mark Schachner has ninety subjects to select from.

Next Meeting December 18, 2012 7 PM (3<sup>rd</sup> Tuesday due to Holiday)

There being no further business before the board, Chair Gary Frenz adjourned the meeting at 7:30 PM

Respectfully Submitted.

*Christine Hayes, Secretary*