

Town of Horicon

ZONING BOARD OF APPEALS

Minutes of March 27, 2007 approved April 24, 2007

Members Present: Chairperson Priscilla Remington, Harry Balz, Dan Smith, Curt Castner, Gail Serrine
Alternate: Joe Dooris Absent: Jason Hill

Others Present: Counsel to Boards Mark Schachner, Town Board Member Bob Olson,

Guests Present: Robert Conklin, Fred Spezza, Cherie Indelicato, Erin and Brady Hayes, Chrys Matterson

PUBLIC HEARINGS:

File # 2007-05AV Tax Map 36.3-3-4 Robert and Sherry Conklin seeking a 30' shoreline setback, a 37.5' rear yard setback and a 2.5' side yard setback variance to construct three (3) decks located at 235 East Shore Dr. In the R1-3.2 acre zone. Chrys Matterson neighbor of the applicant submitted photos showing property stating that the Conklin house is closer than 12' 5" to the property line. Dan Smith questioned the applicant if there was a survey of the parcel. Mr Conklin stated that the deck size could be reduced and the landing on the second story is for emergency egress only. After a lengthy discussion regarding the ownership of the property Harry Balz made a motion to keep the public hearing open, 2nd by Curt Castner. All Ayes.

The Regular meeting of the ZBA was called to order by Chairperson Priscilla Remington. Harry Balz made a motion to accept minutes adding to others present, Counsel to Boards Mark Schachner, 2nd by Dan Smith.

UNFINISHED BUSINESS:

File # 2007-05AV Tax Map 36.3-3-4 Robert and Sherry Conklin seeking a 30' shoreline setback, a 37.5' rear yard setback and a 2.5' side yard setback variance to construct three (3) decks located at 235 East Shore Dr. In the R1-3.2 acre zone. Lengthy discussion ensued regarding the ownership of the parcel and the property line as represented to the Zoning Administrator. Joe Dooris stated that a certificate of incorporation and deed should be made available to the board. Dan Smith stated that an authorization of the owner should be in the file. Harry Balz made a motion to for the applicant to provide 1) Deed, 2) Survey of the portion of the applicant's land 3) Resolution of the corporation regarding ownership and 4) Authorization from the corporation to proceed with the application, 2nd by Dan Smith. The board was polled: Harry Balz Aye Dan Smith Aye Gail Serrine Aye Curt Castner Aye Priscilla Remington Nay The motion was passed by majority vote.

File # 2005-56 Tax Map 36.15-1-12.1 Erling Asheim seeking an area variance from road frontage to subdivide parcel on East Shore Drive. Erin Hayes representing the applicant stated that this application has been pending as the applicant was seeking an engineer for the stormwater runoff plan, requesting that this board deem the application complete furthering the variance process and dealing with the stormwater plan during Planning Board's review. Harry Balz stated that there are two issues, 1) septic field and 2) Warren County highway permit for road. Curt Castner made a motion to deem the application complete, schedule a

public hearing referring this to the Town Planning Board, 2nd by Dan Smith. All Ayes.

NEW BUSINESS:

File # 2007-06AV Tax Map #20.17-1-3 Roger Travis seeking a 50' Shoreline frontage and a 50' roadway frontage variance to adjust the boundary line of adjoining parcel, lot # 32 with lot #31 lands of Clayton, and merge portion of lot #32 with lot N-14 lands of Travis, parcels are located in the R1-3.2 acre zone. Cherie Indelicato representing the applicant gave a brief history of the parcels stating that this variance is not changing the density and the three lots are zoned one family residential. Dan Smith made a motion to deem the application complete, schedule a public hearing and refer this to the Town Planning Board, 2nd by Curt Castner. All Ayes.

File # 2007-08AV Tax Map 39.13-2-15 NiskaBeach Association seeking variances for sideyard setback, dock surface area, dock length and dock design to increase dock system from 8 boat slips to 12 boat slips. Parcel located at 1592 Palisades Rd in the R1-1.3 acre zone. Dan Smith stated that he visited the site and took measurements to try to indicate where the dock system would be located and ascertain the sideyard setback. Fred Spezza representing the Association stated that the dock will be located over twenty (20) feet from the sideyard. Joe Dooris stated he would like to see a deed to the beach front parcel. Fred Spezza stated that this is the second design that was brought to the Planning Board bringing the dock system closer to shore. After a brief discussion regarding the water depth, Harry Balz made a motion to deem the application complete, schedule a public hearing, not referring this application to the Town Planning Board, 2nd by Gail Serrine. All Ayes.

Board Privilege:

Election of Vice Chair: Curt Castner nominated Gail Serrine, 2nd by Priscilla Remington. Motion passed by majority vote.

New alternate member: Joe Dooris was welcomed.

Alternate member procedure: Harry Blaz made a motion that the alternates function by seniority, as Jason Hill would be the 1st Alternate and Joe Dooris would be the 2nd Alternate, 2nd by Dan Smith. All Ayes.

There being no further business before the board, Chairperson, Priscilla Remington adjourned the meeting at 9:25 PM

Respectfully Submitted.

Christine Smith-Hayes, Secretary