

**MINUTES OF BUSINESS MEETING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
SEPTEMBER 18, 2012**

MEMBERS PRESENT: James Stevenson, Chair
Albert Gionet, Vice Chair
Robert Haley, Secretary
Edward Slegeski

ALTERNATES PRESENT: Armando Darna (sitting)
Sandra Stough

ABSENT: Michael Stebe

ALSO PRESENT: James Davis, Zoning Enforcement Officer
Renata Bertotti, Senior Planner
Ginger MacHattie, Recording Secretary

The Chair opened the Business Meeting at 7:50 p.m.

CONSIDERATION OF PUBLIC HEARINGS:

SCOTT & MICHELLE SMITH – application #2012-094 – request a variance to Article II Section 1.03.05(a) to install an 8’ high section of fence to 70’ long (6’ permitted) in the side yard at 122 Benton Street, Residence A zone.

Mr. Haley said he is sympathetic to the Smiths but he cannot see a hardship. He thinks a 6’ fence will do the job.

Mr. Darna said a 6’ fence would psychologically help the youngster adjust.

Mr. Slegeski explained that the point of all of the questions was because of the photographs but the Board was told this was a one time incident. He agrees with the good fence, good neighbor philosophy.

Mr. Stevenson said he is sympathetic and hopes this can be worked out without a variance. It seems like an 8’ fence would be sufficient, but the house is two stories and if somebody really wanted to they could still see into the yard. He cannot support the variance because he does not think it will solve the problem.

MOTION: Mr. Haley moved to deny the request for a variance. Mr. Darna seconded the motion and all members voted in favor of the denial.

The reason for the denial was a lack of hardship.

EDDY CLAYTON – application #2012-097 – appeal to the ZEO’s order prohibiting livestock on the property under Article II Section 1.03.03 and request a variance to Article II Section 4.01 to allow the owner to keep livestock at 159 Thompson Road, Residence A zone.

Mr. Haley said he visited the site and there was no odor; he was unaware of the pig. He said it is not obtrusive at all and is definitely a pet.

Mr. Slegeski did not meet Oliver but at this point there is nothing in the zoning regulations that describes Oliver as livestock. He will support the variance.

Mr. Stevenson agreed with Mr. Haley’s assessment. The yard is well kept and there was no smell or noise when he was there. Oliver does not negatively impact the surrounding neighborhood.

MOTION: Mr. Gionet moved to approve the request for a variance for one pot belly pig. Mr. Slegeski seconded the motion and all members voted in favor.

The hardship was there is no definition in the Town zoning regulations regarding the types of animals considered to be livestock or the types of animals considered to be domestic pets. The yard is well kept and orderly, there is no noise or smell, and there is no negative impact to the neighborhood.

APPROVAL OF MINUTES:

June 27, 2012 – Public Hearing and Business Meeting

MOTION: Mr. Gionet moved to approve the minutes as written. Mr. Darna seconded the motion and all members voted in favor.

ACCEPTANCE OF NEW APPLICATIONS:

BRENDA CARRON-LANG – application #2012-093 – request a variance to Article II Section 16.14 to allow retail sales for an antique and collectibles co-op business in at 95 Hilliard Street (also known as 95 M-1 Hilliard Street), Industrial zone.

The meeting was adjourned at 8:05 p.m.

I certify these minutes were adopted on the following date:

October 24, 2012
Date

James Stevenson, Chair

NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.

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