

Town of Horicon

ZONING BOARD OF APPEALS

Minutes of March 25, 2008 approved

Members Present: Priscilla Remington, Gail Serrine, Dan Smith, Harry Balz, Curt Castner, Alternate Gary Frenz Absent: Alternate Jason Hill

Others Present: Town Board Member Bob Olson

Guests Present: E.V. Tear, Bernie and Cindy Hill, Laura Gardiner, Stephen Krugler, Carolyn Anderson, Tom Johanson, Don Studler, Cindy Mead, Vince Leach, Thad Smith, Bill McGhie, Jeff Whiteside , Kim Frazier, Charles Jelinek, Poul Carstensen.

PUBLIC HEARING:

File #2008-01AV Tax Map 55.10-1-17 Mark Treichel seeking a 30' and a 38' shoreline setback variance to build a 8' x 16' second floor covered balcony over existing deck and a two story side addition to home located at 10 Sand Beach Way in the R1-10 acres zone. Don Studler of Eric & Eric representing the applicant explained that the balcony will not extend any further out than the lower deck. Priscilla Remington asked if there were any comments or questions from the audience. Mike Raymond asked how many variances were being sought. After a lengthy discussion regarding the setback requirements, Dan Smith made a motion to continue the public hearing re-advertising the legal notice and re-notifying the adjoining owners, 2nd by Gail Serrine. All Ayes.

File # 2007-36UV Tax Map # 53.-3-1 Vandermark (EZ Marine& Storage) seeking a Use Variance and Area variances to establish a Commercial Marina on parcel located on East Schroon River Rd in the RRD-10 acre zone. Priscilla Remington stated that the board is limiting comments to five (5) minutes per person. Bernie Hill requested that the public hearing be continued in order to provide this board and Warren County Planning Board with the requested information.

Comments and questions were taken:

Carolyn Anderson wants to know what information would be submitted.

Mark Schachner stated that it would be appropriate for the board grant the request of the applicant.

Bernie Hill read the Warren County Planning Board recommendation.

Mark Schachner stated that the Warren County Planning Board does not approve or deny applications, only make recommendations and may re-review applications.

Carolyn Anderson stated concerns regarding visual and river pollution, width of the river, underwater vegetation, swimming, high water mark, dredging and environmental concerns and the public beach use.

Poul Carstensen stated that the board should consider the applicant's request to continue the public hearing in order to allow the submission of requested information.

Bill McGhie stated that people drive a long way to get to the meetings.

Bernie Hill stated that there are at least twelve (12) different permits needed to complete this project and they all can not be obtained within a month.

Harry Balz stated that the swimming area is not an official public beach as it would need a life guard and people are illegally swimming on state property.

Matt Wood stated that the applicant does a good job and the town is looking for businesses to develop in this area.

Carolyn Anderson stated her concerns with washing of hands, marina area, water runoff, toilet facilities, would

like to know the length and width of the parcel.

Bernie Hill stated that he has spoke with an Engineer that will design a septic system for hand washing and a toilet and that the map is displayed on the board showing the parcel and the project.

Harry Balz stated that this file and all files are public record and can be reviewed in the Zoning Office at any time during regular business hours.

Discussion ensued regarding continuing the public hearing until the applicant can provide more information/permits. Mark Schachner stated that if the board sets a date for the next public hearing tonight, no further public notification is required. Brief discussion ensued regarding ZBA meeting dates. Gail Serrine requested the applicant to provide the office with any new information as it is received. Bernie Hill stated that he will get all information to the office as it comes in. Harry Balz made a motion to continue the public hearing on June 24th, 2008 7:30 PM without further publication, 2nd by Gail Serrine. All Ayes.

The Regular meeting of the ZBA was called to order by Chair Priscilla Remington. Dan Smith made a motion to approve the minutes as corrected, 2nd by Harry Balz. All Ayes, except Gail Serrine who abstained from the vote as she was not present.

New Business:

File 2008-04AV Tax Map 71.16-1-13 Robert Henshaw seeking an area variance for rear yard setback to build a garage on parcel located at 163 Palisades Rd in the R1-3.2 acre zone. Discussion ensued regarding necessary information. Harry Balz made a motion to deem the application incomplete requesting the applicant submit a scaled drawing with dimensions, complete page 3, and provide a drawing of the garage, 2nd by Gail Serrine. All Ayes.

Board Privilege: Cindy Meade stated that she was under the impression that an application would be submitted for the McHugh parcel on State Rte 8. Gary McMeekin, Zoning Administrator sent a letter to Attorney Dan Smith stating the need for a application for a zoning compliance certificate and possibly a variance.

A brief discussion ensued regarding the July 2008 meeting.

There being no further business before the board, Chair, Priscilla Remington adjourned the meeting at 8:30 PM

Respectfully Submitted.

Christine Smith-Hayes, Secretary