

ZONING BOARD OF APPEALS
OCTOBER 27, 2011

PUBLIC HEARING

Application D-256-A Angelo Lezamiz would like to get a 15' side setback variance to build a shed at 185 Upper Kennedy Heights in Margaretville. Tax map # 284-1-43.

Application D-257-A Catskill Rail Commission would like to get a sign area variance to install a larger sign at Railroad station, Route 28 in Arkville. Tax map # 285-2-60.

AGENDA

1. Approve/amend the minutes of the August 25, 2011 meeting.
2. Action on application D-256-A Lezamiz.
3. Action on application D-257-A Catskill Rail Commission.
4. Preliminary discussion on application D-258-A Richard L'Esperence & Dawn Perry would like to get an undersized lot variance to readjust boundary lines creating an undersized lot on Walker Road in Denver. Tax map # 243-1-2 & 243-1-62.
5. Preliminary discussion on application D-259-A John Kowatch would like to get a undersized lot variance to readjust boundary lines creating an undersized lot on 66 County Hwy 36 in Margaretville. Tax map # 263-3-5 & 13.3.
6. John & Carol Sanford would like to request an extension on their building permit # 08-9-109 on Route 28 and Dry Brook Road in Arkville.
7. Anything else to come before the meeting.

The Town of Middletown Zoning Board of Appeals will be held their regular monthly meeting on Thursday, October 27, 2011 at 7 p.m. in the Town Hall, Route 28, Margaretville.

Board Members:

Chairman.....Jason Wadler
Board Members.....Gordon Stevens, Kurt Holcherr, Warren Slavin and Ken Taylor

Others Present: Rob Allison, Angelo & Loretta Lezamiz, John Sanford and Beth Bush.

Chairman Wadler called the public hearings to order at 7:03 pm.

Application D-256-A Angelo Lezamiz is requesting a 15' side setback variance to relocate a 12' x 20' shed on his property. The Board received and read into the record a letter from Katherine & Charles Somelofski who were very much opposed to this application. There were no further public comments on this application.

Application D-257-A Catskill Rail Commission is requesting a sign area variance to install a larger sign than the zoning allows. There were no comments from the public on this application.

Chairman Wadler closed the public hearings and called the regular meeting to order.

Gordon Stevens made a motion to approve the August 2011 minutes as presented. Kurt Holcherr seconded motion. Motion carried.

Action on application D-256-A Angelo Lezamiz. After reviewing the application, a worksheet was completed for this application. Gordon Stevens made a motion to approve this application as presented. Kurt Holcherr seconded motion. Motion carried.

Action on application D-257-A Catskill Rail Commission. After reviewing the application, a worksheet was completed for this application. Kurt Holcherr made a motion to approve this application as presented. Warren Slavin seconded motion. Motion carried with a 4 ayes and 1 nay vote.

Preliminary discussion on application D-258-A Dawn Perry and Richard L'Esperence are requesting an undersized lot variance to readjust their property lines on Walker Road in Denver. Ms. Perry would like to sell a portion of her property to Mr. L'Esperence, her new proposed lot will be 3.16 acres from 4.8 acres in a R-5 zone. After reviewing the application, Warren Slavin made a motion to schedule a public hearing for November 2011. Kurt Holcherr seconded motion. Motion carried.

Preliminary discussion on application D-259-A John Kowatch is requesting an undersized lot variance to readjust his property lines on County Highway 36 in Margaretville. Mr. Kowatch would like to make his house property larger. His proposed lots will be 3.71 acres and 2.52 acres in a R-3 zone. The board asked Rob Allison to make a note on the map about the ROW. After reviewing the application, Warren Slavin made a motion to schedule a public hearing for November 2011. Gordon Stevens seconded motion. Motion carried.

John Sanford is requesting a building permit renewal on permit # 08-9-109 for this house on the corner of Dry Brook Road and Route 28 in Arkville. The Board received a letter from the Town Attorney Carey Wagner regarding this request stating that without substantial completion the board can not approve this request. The board explained to the applicant that they could not approve this per Carey Wagner's letter. They suggested that the permit get closed and reapply in the spring for a new permit. Ken Taylor made a motion to deny this request. Kurt Holcherr seconded motion. Motion carried.

Gordon Stevens made a motion to adjourn the meeting at 8:00 p.m. Kurt Holcherr seconded motion. Motion carried.