

**Town of Urbana
Zoning Board of Appeals
Minutes
July 21, 2010**

Board Members Present

Richard Watson	Chairman
Charlie Egresi	Board Member
Richard Frey	Board Member
Michael Adams	Board Member
Nichole Dresser	Board Member
Carly McConnell	Recording Secretary

Board Members Absent

Bob Domras	Alternate
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Others Present: Karen & Jim Estep, J. Pitt, Peter Baker & Mr. & Mrs. Randolph Weaver

The Town of Urbana Zoning Board of appeals held a meeting July 21, 2010 at the Town Hall.

Chairman, Watson opened the public hearings of July 21, 2010 at 7:02PM.

Chairman, Watson stated he had a quorum.

Joe Hillman (Application #2009-093), 11201 Shady Lane, Fort Lauderdale, Florida; is requesting 4 variances, to demolish and replace a residence located at 8694 West Lake Road. Applicant has applied for an area variance; pursuant to Town Code 105-16 C. 1, d (1), 105-16. C. 3. (2) & 105-16. C. 3.

Attorney Baker was present to represent the applicant.

The Board received a written opinion from the Planning Board; indicating that they do not support or endorse the variances requested.

The Board received the M239 back from the County Planner, deferring to local Judgment.

Type 2 SEQR action declared

The Board received a letter from neighbors Robert & Olean Olsin; who has no objections.

Mr. Egresi made a motion to recess the public hearing at 7:13PM. Seconded by Mrs. Dresser. Roll Call Vote: Frey-aye, Egresi-aye, Dresser-aye, Adams-aye, Watson-aye.

Regular Meeting Opened at 7:14PM

Minutes were reviewed from March 17, 2010. Mr. Egresi made a motion to approve the minutes as submitted. Seconded by Mr. Adams. Roll Call Vote: Frey-aye, Egresi-aye, Adams-aye, Watson-aye. Mrs. Dresser recused herself from voting on the minutes, due to her absence at the meeting.

Minutes were reviewed from June 16, 2010. Mr. Frey made a motion to approve the minutes as submitted. Seconded by Mr. Adams. Roll Call Vote: Frey-aye, Egresi-aye, Adams-aye, Watson-aye. Mrs. Dresser recused herself from voting on the minutes, due to her absence at the meeting.

Jim & Karen Estep – Mrs. Dresser will sub stain from any voting on this application, due to her absence at previous meetings involving this application.

The Board reviewed Mr. Weaver’s letter; that was submitted at the June 16th meeting. Board feels that all of Mr. Weaver’s concerns from the previous meeting have been addressed. Chairman Watson spoke with CEO, Magee; who also feels that all issues have been addressed.

Mr. Frey reminded the Board that the East Lake Road does not split lots into two & the standard position of the Board is to look at both lots.

Mr. Egresi does not feel that because similar variances have been approved in the same area as the Estep’s; that the Board needs to approve this one as well. Mr. Egresi feels that other options are available to the applicant; like a 2nd floor & locate stairway at another location in the residence.

Mr. Adams read from “Planning & Zoning Laws” for New York State; section 267 B-3. Regarding area variances.

The Board reviewed and completed the VR2 Variance Findings & Decision. For Jim & Karen Estep, Application #2009-025; for the front yard set back. Mr. Adams made a motion to approve the findings. Seconded by Mr. Frey

Roll Call Vote:

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

Mr. Adams made a motion to approve the front yard set back. Seconded by Mr. Frey.

Roll Call Vote

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

The Board reviewed and completed the VR2 Variance Findings & Decision. For Jim & Karen Estep, Application #2009-025; for the side yard set back. Mr. Adams made a motion to approve the findings. Seconded by Mr. Frey

Roll Call Vote:

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

Mr. Frey made a motion to approve the side yard set back. Seconded by Mr. Adams.

Roll Call Vote

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

The Board reviewed and completed the VR2 Variance Findings & Decision. For Jim & Karen Estep, Application #2009-025; for lot coverage. Mr. Adams made a motion to approve the findings. Seconded by Mr. Frey

Roll Call Vote:

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

Mr. Frey made a motion to approve the lot coverage. Seconded by Mr. Adams.

Roll Call Vote

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

Mr. Frey made a motion to recess the regular meeting & reopen the Hillman public hearing. Seconded by Mr. Adams.

Attorney Baker suggested the Board incorporate the application via reference.

The Board reviewed CEO, Magee's decision.

For future reference for the Board, the sketch plat in the file that have the decking on the south side of residence are not correct. The Board needs to use the sketch plat dated 2/9/10.

The Board reviewed the sketch plat dated 2/9/10 & the proposed variances with attorney Baker.

The Board advised Attorney Baker of the options that are available to the height & storey variances that are being requested. Attorney Baker requested that the Board give them a height that the Board would agree to.

Mr. Adams made a motion to recess the public hearing at 8:42PM. Seconded by Mr. Frey. Roll Call Vote: Frey-aye, Egresi-aye, Dresser-aye, Adams-aye, Watson-aye.

Mr. Frey made a motion to reopen the regular meeting at 8:42PM. Seconded by Mr. Adams. Roll Call Vote: Frey-aye, Egresi-aye, Dresser-aye, Adams-aye, Watson-aye.

Michael Campanelli – The Board reviewed new submissions from the applicant. The Board received engineered stamped drawings with out any date stamp.

Mrs. Dresser will abstain from any voting on this application, due to her absence at previous meetings involving this application.

The Board reviewed and completed the VR2 Variance Findings & Decision. For Michael Campanelli, Application #2010-014; for the 5' side yard set back. Mr. Adams made a motion to approve the findings. Seconded by Mr. Egresi.

Roll Call Vote:

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

Mr. Egresi made a motion to deny the 5" side yard set back. Seconded by Mr. Frey.

Roll Call Vote

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

The Board reviewed and completed the VR2 Variance Findings & Decision. For Michael Campanelli, Application #2010-014; for the 0' side yard set back. Mr. Frey made a motion to approve the findings. Seconded by Mr. Egresi.

Roll Call Vote:

Frey	Aye
Egresi	Aye
Adams	Aye
Watson	Aye

Mr. Frey made a motion to deny the 0" side yard set back. Seconded by Mr. Egresi.

Roll Call Vote

Frey	Aye
Egresi	Aye

Adams Aye
Watson Aye

The Board reviewed and completed the VR2 Variance Findings & Decision. For Michael Campanelli, Application #2010-014; for the rear yard set back. Mr. Adams made a motion to approve the findings. Seconded by Mr. Egresi.

Roll Call Vote:

Frey Aye
Egresi Aye
Adams Aye
Watson Aye

Mr. Egresi made a motion to deny the rear yard set back. Seconded by Mr. Frey.

Roll Call Vote

Frey Aye
Egresi Aye
Adams Nay
Watson Aye

The next regular meeting will tentatively be held on August 11, 2010.

Mr. Frey made a motion to adjourn. Seconded by Mr. Egresi. All in favor.

Meeting adjourned at 9:40PM

Respectfully Submitted

Carly McConnell, Recording Secretary