

**Zoning Board of Appeals Meeting  
February 18, 2008, 7:00pm  
Village Municipal Center**

Attendance: ZBA Members: Chairman Stephen Lynch, Harry Haldt, and George Macura; absent: Edward Fish, Kenneth Taylor

Village Key Staff: Mayor Jay Niles, Clerk-Treasurer Rick Roberts

Others: Mr. Ralph Krueger

Chairman Lynch called the Meeting to Order at 7:00pm.

Ratify Meeting Minutes: Chairman Lynch asked the Board to consider the Meeting Minutes for the Public Hearing of January 21<sup>st</sup>. Mr. Macura moved that the Minutes be accepted as published by the ZBA Clerk. Mr. Haldt seconded the motion and it carried unanimously. The Chairman then asked the Board to consider the Minutes for the Meeting of February 6<sup>th</sup>. Mr. Haldt moved that the minutes be accepted as published. Mr. Macura seconded the motion on it carried unanimously.

Continue Deliberations, Ralph Krueger Appeal: Chairman Lynch advised that the following materials had been received by the ZBA following the Public Hearing of January 21:

\*Specifications relating to wind & snow loads, anchorage details, and drawings stamped by a NYS-Licensed Engineer for the structure in question provided by Mr. Krueger.

\*The relevant pages of the NYS Residential Code detailing the requirements for Carports as provided by the ZBA Clerk.

The Chairman noted that the CEO had not submitted any further materials to date relating to his position that the structure was deemed to be temporary and/or out of compliance with the NYS Code/Regulations. Mr. Haldt questioned if the CEO had offered any further input in these matters to the Chairman, as the ZBA had requested further detail. The Chairman advised that he had not heard anything from the CEO following the January 21<sup>st</sup> Public Hearing, and noted that the CEO was not in attendance, which had been expected.

The Board commenced a period of consideration relating to the materials that had been received. Following this period of review, the Board concluded that they were desirous of additional input from the CEO prior to rendering their final decision in this appeal; therefore, the matter was table to the next regularly scheduled meeting of the ZBA. Given that the Board is allowed 62 days to pronounce a decision following the closure of the Public Hearing, this subsequent Meeting will be scheduled to allow the ZBA time to conclude their deliberations and issue their decision within the time allotted under the Village Zoning Law.

The Chairman expressed concern to Mayor Niles relating to the Code Officer's failure to appear at the Meeting and apologized to Mr. Krueger on behalf of the Village for the delay in issuing their decision. However, it was agreed by all parties that it would be best to receive and consider any further relevant information from the CEO prior to issuing a decision in this matter.

Training Update: Chairman Lynch advised that he and Mr. Haldt had attended the Saratoga Planning Conference on January 30<sup>th</sup>. The Village was well represented at this event, with the Mayor and several Planning Board Members also in attendance. The Conference provided an excellent training opportunity and the circulation of much good information per input from Mr. Haldt, Chairman Lynch, and the Mayor.

New Business—Letter Received from Village Planning Board: Chairman Lynch advised of the receipt of a letter from Village Planning Board (PB) Chairwoman Christina Bishop relating to a building project that had been referred to the PB by the CEO. The PB reviewed the information submitted, but they have concluded that this project falls outside of their purview. The PB did note, however, that the applicant would likely require an area variance for the project before they were able to obtain a Certificate of Occupancy due to certain changes within the building plans. The Chairman advised that if a request for a variance were received from the applicant, said letter could likely be used to demonstrate the PB's advisory opinion relating to the Variance application, but as no application has been received to date, the letter will just be kept in file pending further action.

The next meeting of the ZBA was scheduled for Monday, March 17<sup>th</sup> at 7:00pm at the Village Municipal Center.

Mr. Haldt moved that the Meeting be adjourned at 7:25pm. Mr. Macura seconded the motion and it carried unanimously.

Respectfully Submitted,

Richard H. Roberts  
ZBA Clerk