
ZBA Members Present:
Daniel Persing, Chairperson
Stephen Day
Adrian Ooms
Michael Richardson
Christie Ellis
John Lyons – Town Attorney
Kim Garrison – Town Attorney

Public Present:
Martin Tomczyk, Vanessa Ah-Chuen

The meeting was called to order at 7:06 PM and the Pledge of Allegiance was recited.

Chairman Persing begins by introducing the Board Members and Attorney's.

Motion to approve the August meeting minutes with amendments, made by Ms. Ellis, seconded by Mr. Ooms, all in favor, motion carried.

Public Hearings:

An Application for an Area Variance from Martin Tomczyk & Vanessa Ah-Chuen located at Cotter Rd., Tax ID#36.1-22.110, to allow a minor subdivision that does not meet minimum acreage requirements.

Chairman Persing explains to the Members of the Public the way a Public Hearing is conducted. Chairman Persing states the Board has been waiting for more clarification from the Fire Department and Ms. Garrison explains they sent a request as well. Chairman Persing asks if the proofs of the notifications have been received, they have not since the Applicants have not arrived.

A motion to open the Public Hearing was made by Mr. Day with a second from Ms. Ellis, all in favor, motion carry.

Chairman Persing asks if there are any comments from the public. Public Member, Jakob Koch states he is the property next to theirs and indicates his property on the map. Mr. Koch states he has lived on this property for 44 years and the weather has really changed things over the years, the ravine that runs between there properties is actually a gorge now that is about 50-60ft deep. Mr. Koch adds that he is worried his house could be in danger if two houses are built on this property. Chairman Persing asks what type of rock is it there, Mr. Koch states it is granite. Chairman Persing asks who's property the Ravine is on, Mr. Koch states both.

The Applicants arrive 7:25pm

Public Member, Jori Emde-Pelaccio states she received a notice in the mail and was hoping to just get an explanation of what was happening, Chairman Persing explains the maps. Ms.

Emde-Pelaccio explains where her property is and that she has similar concerns with the runoff and with the potential subdivision and two new houses it would really be packing them in and Cotter Road is very unique and old houses. Mr. Richardson explains that they could actually build two houses on this lot without the subdivision. Ms. Emde-Pelaccio states she is just expressing her concerns. Chairman Persing asks if the Applicants have anything else to add at this point – no response.

Chairman Persing states at this point they should keep the Public Hearing open. Mr. Richardson suggests the Applicants have their engineer present a written plan of the driveway and then have the engineer used by the Highway Department review it. Mr. Lyons states a timeline needs to be addressed, the letter from the applicant's engineer will need to be submitted by October 11th so that the Town Engineer or the engineer used by the Highway Department can review and do a site visit and potentially get the answers back to the Board by October 22nd.

A motion to adjourn the meeting was made by Mr. Day with a second from Mr. Richardson and the meeting adjourned at 8:18 PM.

Daniel Persing, ZBA Chairman
September 29th, 2018

Respectfully submitted by
Erin Costa, ZBA Clerk