

Ancram Zoning Board of Appeals
March 18th, 2014 7:00PM
Meeting Minutes

Board Members Present: Outgoing Chair Leah Wilcox, Sheldon Waldorf, Fred Schneeberger, Sue Bassin, William Lutz Jr., In Coming Chair Bonnie Hunt

Board Members Absent: None

Clerk: Colleen Lutz

Others Present: None

Incoming Chair Wilcox opened the meeting at 7:00pm. She gave a brief introduction of the incoming Chair, Bonnie Hunt.

Chair Wilcox also stated that Barbara Stimmel, who had expressed an interest in being the ZBA's alternate member, will not be able to fulfill the meeting requirement of the ZBA. Therefore, the board still needs to look for an alternate member. She suggested the Town Board advertise again to fill the position. In cases where a super majority is needed to approve/disapprove an application, a recusal of a member may prove problematic if there is no alternate to fill the position. Under the new zoning, an alternate member may only vote in the event of a recusal, not simply because there is an absence of a regular member.

Ms. Bassin mentioned that for regular meeting only three members were needed for a quorum, and four could create a super majority vote.

Mr. Waldorf suggested that if the application seemed controversial, the ZBA could adjourn the meeting until the regular member could be in attendance.

Chair Wilcox stated that she felt this meeting would be a great opportunity for the Board to train together with the new Chair. She went over the purpose of the ZBA and the different applications the board handles. Chair Wilcox also went over the procedures the board must go through for each application.

Ms. Bassin stated that the ZBA should try its best to help the applicant get through the process and give them clear guidelines to help them be successful.

Mr. Lutz also stated that the building inspector should also impart knowledge to the applicant about what they can and cannot do with the property.

Chair Hunt stated that it will be helpful when the law is cleaned up and completely consolidated into one document.

Chair Wilcox stated that area variances and use variances almost always have land use hardships that are self-created. However, this does not usually effect the approval of

variance. The Board must evaluate the benefit to the applicant vs. the detriment to the community.

Chair Wilcox stated that the interpretation is researched by the ZBA. It is helpful to have the notes from the zoning revision meetings because they help determine the intention of the committee when the law was created.

Chair Wilcox stated that according to state law, the Board must meet first to schedule the public hearing. The Board has not proceed this way and in many cases only one meeting was needed to conclude a meeting with a public hearing.

Mr. Waldorf suggested that the Board continue its policy as it seems to work and is less burdensome on the applicant.

Chair Wilcox stated that it is helpful to go through the check list in the process list. Also remember that once the public hearing is closed, no new information may be added.

Chair Wilcox also stated that the only time the ZBA can go into executive session is to consult with the attorney.

Clerk Lutz stated she would be scheduling training with Hugh and Nan on the new zoning laws.

At 8:30 PM a motion was made by Mr. Waldorf to adjourn the meeting. The motion was seconded by Mr. Schneeberger and the Board unanimously agreed.

Respectfully Submitted
Colleen Lutz
Secretary Town of Ancram ZBA