

ZONING BOARD OF APPEALS MEETING

MONDAY, JUNE 25, 2018

MEMBERS PRESENT: JEFF MULLIGAN, CINDY KELLEN, BOB WESTFALL,
DIANE ATTEA, SAM PRICE (7:15)

VISITORS: BRIAN GLISE, JIM CAMPBELL, KEVIN LILLIS,
KARON DAVIN, TAMMY ANDERSON, JANET MANKO,
DALE TWARDOKUS, JUDY FALZOI, CRAIG WELCH,
BRUCE MAXON

CLERK: KIM MCDOWELL

MOTION TO OPEN THE MEETING WAS MADE BY BOB; SECONDED BY CINDY.

JEFF MULLIGAN - AYE
CINDY KELLEN- AYE
BOB WESTFALL- AYE
DIANE ATTEA - AYE
SAM PRICE - ABSENT

CARRIED 4-0.

MOTION TO APPROVE THE MINUTES FROM THE MAY 21, 2018 MEETING AS
SUBMITTED WAS MADE BY BOB; SECONDED BY DIANE.

JEFF MULLIGAN - AYE
CINDY KELLEN- AYE
BOB WESTFALL- AYE
DIANE ATTEA - AYE
SAM PRICE - ABSENT

CARRIED 4-0.

DAVIN, RICHARD & KARON / TAX MAP PARCEL #35.-1-1.2/5315 AVON-EAST
AVON RD / AREA VARIANCE FOR SETBACK ON ACCESSORY STRUCTURE
IN AG ZONING

Mrs. Davin is requesting set back variance for 2 sheds she would like to replace one and add one to her property. Shed #1 is an existing shed that is on the side property line and they are replacing it with a little bigger shed and needs a 29.6 ft. side set back variance. They would also like to add a garden shed to the back of the property and will need a 20 ft. rear set back variance. If they were to follow the code in the Agricultural zoning for rear and side setbacks, both sheds would be in the middle of the property. They own all the land surrounding the property currently it is just not included in the property with the house. No questions by the Board members. Kim will get in touch with Mrs. Davin for the public hearing at the July 23, 2018 meeting.

ANDERSON, TAMMY & JAMES ON BEHALF OF DAVID VAWUYCKHUYSE & LAURA
RAHN/TAX MAP PARCEL#44.-1-20.1/2411 POLE BRIDGE ROAD/SPECIAL
USE PERMIT FOR BED & BREAKFAST

Mrs. Anderson will be purchasing the property this week and would like to operate it as a Bed & Breakfast Inn and advertise it on the Air BNB site. She would also like to host small parties such as bridal showers, tea party and Christmas parties in the house since the barn doesn't have heat. Brian stated the house is most likely compliant with state code since the current owners were foster parents. Mrs. Anderson stated the house is ready to be rented once the closing goes through. Jeff stated that the steps for the special use permit would be to go to the next Planning meeting which would be in August and then come back to the August ZBA meeting. Kim will get in touch with Lance to discuss exactly what Mrs. Anderson needs to do and communicate that with her.

TWARDOKUS, DALE, OAK OPENINGS, LLC/TAX MAP PARCEL #26.-1-22.1/
1392 OAK OPENINGS ROAD/SPECIAL USE PERMIT - EXCAVATION OPERATIONS

Mr. Twardokus recently purchased the gravel pit on Oak Openings Road with the intentions of operating the pit as it has always been operated in the past. Mr. Twardokus does have a valid DEC permit but doesn't have a special use permit through the Town of Avon. Jim Campbell stated that this is a permitted use in the Agricultural zoning as a special use. Jim Campbell read Code 130-35 (E) as asked by guest Judy Falzoi. Jeff stated that you are hauling out gravel now without the proper special use permit in place and that all excavation operations should be ceased until that is issued. Mr. Twardokus stated he thought they already had a special use permit in place. Jim Campbell stated they will need to go to the Planning Board meeting on July 3, 2018 and then have a public hearing at the July 23rd ZBA meeting. Numerous comments were made by the residents on Oak Openings about their concerns with the truck traffic and noise issues.

Mr. Welch will send Kim the statement of operations and a site plan for the meeting on July 3, 2018. After this meeting, Kim will get in touch with Mr. Welch for the public hearing procedures.

MOTION TO CLOSE THE MEETING WAS MADE BY DIANE; SECONDED BY SAM.

JEFF MULLIGAN - AYE
CINDY KELLEN - AYE
BOB WESTFALL - AYE
DIANE ATTEA - AYE
SAM PRICE - AYE

CARRIED 5-0.

MEETING CLOSED.