

**Zoning Board of Adjustment**  
**March 22, 2016**

**Members Present:** Karl Ogren, Denny Anderson (alternate), John Krebs, Jake Stephan, Tim Cupka (alternate)

**Members Absent:** Scott Lees, Craig Niiler, John Quigley (alternate)

**Others Present:** Dianne Park-Recording Secretary, Jim Farinella, Mark McConkey

Karl Ogren called the meeting to order at 7:00pm and ran the meeting in the absence of Chairman-Scott Lees and Vice Chairman-Craig Niiler. Karl introduced the board members to the public. Denny Anderson and Tim Cupka are voting members of tonight's meeting in place of Scott Lees and Craig Niiler.

**Minutes**

Minutes were tabled until next month due to all members not receiving copies to review.

**Case# 47-16-16 Dorothy Read – Applicant seeks an appeal for a variance under Article 7, Section 706.2 to: Extend existing deck by 3 feet which is within the rear yard setback of 3' 6" of the established steps and adding 2' to the established side of the present house on Round Pond Road, Tax Map #47 Lot#16**

Jim Farinella stepped forward for this application explaining the present deck is being replaced extending to the bottom of the current steps with the steps being recessed into the deck and the deck extending around the house 2'. The board questioned the need for a variance because the deck extension is no closer to the water than the present steps. A motion was made by Tim, seconded by Jake, to continue this application until next month. Karl will be in touch with the Zoning Officer explaining the situation. The board suggested Jim get an Appointment of Agent letter and an Erosion Control Plan for the next meeting along with the suggestion to recheck all project measurements.

**Case# 23-51-16 Rita and Anthony Roberto/Rospin Trust – Applicant seeks variance under Article 3 Section 308.2 (A) to: Construct a home on the existing foundation on 151 Deer Run Road, Tax Map #23 Lot #51**

**Case# 23-51-16 Rita and Anthony Roberto/Rospin Trust – Applicant seeks an appeal from Administrative Decision under Article 3 Section 308.2 (A) to: Construct a home on the existing foundation on 151 Deer run Road, Map #23 Lot #51**

Mark McConkey stepped forward for these applications. Denny Anderson recused himself from the hearing of this application. The board explained the applicant has the right to a 5 member board and without Denny present there would only be 4 members. Mark understood this and agreed to move forward with the 4 member board.

Mark explained the situation between the Administrative Appeal vs. the Variance application. After discussion the board decided to move forward with the Variance Application.

*Check future meeting minutes for any amendments or changes to these minutes.*

## **Variance**

Summary of the facts of the case as discussed at the above public hearing:

- Oak St. Extension is only a paper road and Mount View Board of Directors has the intention to abandon their proposed right-of-way.

The board reviewed the Variance worksheet for Article 3 Section 308.2 (A)

- |                |                        |
|----------------|------------------------|
| 1. Carried 4-0 | 4. Carried 4-0         |
| 2. Carried 4-0 | 5. A. (i) Carried 4-0  |
| 3. Carried 4-0 | 5. A. (ii) Carried 4-0 |

A motion was made by Karl, seconded by Jake that based on the foregoing findings of fact the requested variance from Article 3 Section 308.2 (A) of the Town of Freedom Zoning Ordinance be granted.

Conditions:

- The second front yard on Oak St. Extension be considered a side yard for this lot

Motion carried 4-0.

## **Election of Officers**

A motion was made by Karl, seconded by Jake, appointing Scott Lees Chairman. All members agreed unanimously.

A motion was made by Jake, seconded by Tim, appointing Craig Niiler Vice-Chairman. All members agreed unanimously.

A motion was made by Tim, seconded by Denny, to adjourn the meeting.  
Meeting adjourned at 7:45pm.