

**Zoning Board of Appeals
Town of Berne
Berne, NY 12023**

Date: February 18, 2015

Present: Ronald Jordan; Chair, George Christian, John Carsten, Terry Adams, Henry Robinson and Wayne Emory (Liaison)

Guests: Michael Vincent, Ann Hein, Cheryl Jones and Jeff Teats

Review of Minutes: After Board review, Mr. Carsten moved to approve the draft minutes from the June 16, 2014 ZBA meeting as amended. Mr. Christian seconded and the motion carried 3-0.

Mr. Christian spoke to the Board about a training opportunity at the New York Planning Federation's Annual conference at the Sagamore Hotel in Lake George in April 2015.

Mr. Carsten moved to close the regular business meeting. Mr. Christian seconded and the motion passed, 4-0.

PUBLIC HEARING

Mr. Jordan called the public hearing to order at 7:04 pm.

Hein Area Variance, 24 Lakeview Rd., East Berne

An application for an area variance to construct a 12X20' garage on an existing undersized lot was presented to the Board. The applicant told the Board she wanted to move the proposed garage slightly closer to the house to minimize view blockage. Mr. Vincent stated that that was a change from what the Planning Board had approved, but he could see no problem with it.

The Board noted that the proposed garage is well within the existing setback requirements.

The Chair opened up the meeting to public comment. Mr. Teats, an adjoining property owner, spoke to the Board about a shed which had been built on his property line by the previous owner of 24 Lakeview Rd. Mr. Jordan suggested that Mr. Teats contact the Town Building and Zoning Administrator. Mr. Teats stated that he had no issues with the current area variance application.

Mr. Christian asked Mr. Vincent whether the Planning Board had discussed the total developed area (including proposed garage) would exceed the twenty-percent rule. Mr. Vincent said no. The Board determined that it was within the limit.

Mr. Jordan reviewed the file for completeness. Mr. Carsten suggested that the applicant contact the Zoning and Building Administrator prior to construction regarding the modified placement of the garage.

Mr. Christian moved to declare the variance a Type II action with no adverse impact with no EAF required. Mr. Carsten seconded and the motion was approved, 5-0.

Mr. Christian moved to approve the variance as requested and discussed. Mr. Christian asked that a detailed plan of the garage dimensions and placement on the property be provided to the Town by the applicant as part of the file. Ms. Hein agreed. Mr. Jordan seconded and the motion passed, 5-0.

There being no further business before the Board, Mr. Adams moved to adjourn the meeting, seconded by Mr. Robinson at 7:20 PM. All were in favor.

Respectfully submitted,

Kathy Brown