

**Town of Berne
Zoning Board of Appeals
Meeting Minutes June 19, 2024**

Public Hearing:

- Chairman Spargo called the Public Hearing to order
- Pledge of Allegiance
- Roll Call: Chairman Spargo, Board Member Godin , and Board Member Kisselback. A Quorum was established.

David and Jennie Chase (SBL # 103.10-3-1) Woodstock Rd Lot 104 Area and Setback Variance with amendment to application.

- David and Jennie Chase are asking for a Variance for Area and Setback Variance for a 40x12 deck with roof over camper.
- Mr. Porro the neighbor at Lot 103 came to the hearing to let it be known that he has no problem with what the Chase's want to do since it is pretty much the same as the rest of the neighborhood.

Kimberly and Frank Adams(SBL # 103.10-1-22) Woodstock Rd. Lot Area and Setback Variance

- Kimberly and Frank Adams are asking for an Area and Setback Variance to build a roof over their Camper with an attached deck and also a shed.
- No one showed up to speak for or against the Variance application for the Adams.

Kathleen Hendricks and Jerome Baum (SBL # 103.10-4-25) Woodstock Rd. Area and Setback Variance

- Kathleen Hendricks and Jerome Baum want to add 8ft to their deck and put a roof over their camper.
- Mr. Bates a neighbor came to the Public Hearing to let it be know he has no problem with his neighbors project, but wanted it to be known that they need to watch out for the water run off so it don't create a problem for his property.
- Chairman Spargo made a Moton to close the Public Hearing Board Member Kisselback seconded the motion, motion was carried with all members voting AYE.

Regular Meeting:

- Chairman Spargo made a motion to accept the Minutes from May 17, 2024, Board Member Kisselback seconded, the motion was carried with all members voting AYE.

New Business: NONE

Old Business:

The ZBA Members filled out their Variance Decision Worksheets the following 5 questions were answered by each Board Member for David and Jennie Chase

Area Variance-

Setback Variance-

- | | |
|------|------|
| 1. N | 1. N |
| 2. N | 2. N |
| 3. N | 3. N |
| 4. N | 4. N |
| 5. N | 5. N |

- A Roll Call Vote to Grant or Deny the Area Variance Application for David and Jennie Chase are as follows:

Chairman Spargo – Grant
Board Member Kisselback – Grant
Board Member Godin- Grant

- A roll Call Vote to Grant or Deny the Setback Variance Application for David and Jennie Chase are as follows:

Chairman Spargo – Grant
Board Member Kisselback - Grant
Board Member Godin – Grant

In an unanimous Vote the Area And Setback Variance for David and Jennie Chase was granted

The ZBA Members filled out their Variance Decision Worksheets the following 5 questions were answered by each Board Member for Kimberly and Frank Adams

Area Variance

Setback Variance

- | | |
|------|------|
| 1. N | 1. N |
| 2. N | 2. N |
| 3. N | 3. N |
| 4. N | 4. N |
| 5. N | 5. N |

A Roll Call Vote to Grant or Deny the Area Variance for Kimberly and Frank Adams are as follows:

**Chairman Spargo – Grant
Board Member Kisselback – Grant
Board Member Godin – Grant**

A Roll Call Vote to Grant or Deny the Setback Variance for Kimberly and Frank Adams are as follows:

**Chairman Spargo – Grant
Board Member Kisselback – Grant
Board Member Godin – Grant**

In an unanimous Vote the Area and Setback Variance for Kimberly and Frank Adams was granted

The ZBA Members filled out their Variance Decision Worksheets the Following 5 questions were answered by each Board Member for Kathleen Hendricks and Jerome Baum

Area Variance	Setback Variance
1. N	1. N
2. N	2. N
3. N	3. N
4. N	4. N
5. N	5. N

A Roll Call Vote to Grant or Deny the Area Variance for Kathleen Hendricks and Jerome Baum are as follows:

**Chairman Spargo – Grant
Board Member Kisselback – Grant
Board Member Godin – Grant**

A Roll Call Vote to Grant or Deny the Setback Variance for Kathleen Hendricks and Jerome Baum are as follows:

**Chairman Spargo – Grant
Board Member Spargo – Grant
Board Member Godin – Grant**

In an unanimous vote the Area and Setback Variance for Kathleen Hendricks and Jerome Baum was granted.

Other Business:

Complaint Letter from Maureen and Douglas Abbott (SBL# 80.-1-16)

- **A complaint letter was sent to Town Hall from Maureen and Douglas Abbott about the repair of their septic system, and they don't think that a Permit from the Building Department is needed, she stated our Town Code for building permit requirements in her complaint letter, which states the following:**
 1. **No sewage Disposal system shall be installed or structurally altered anywhere in the town until an application for a building permit shall have been filed and approved as hereinafter provided**
- **Mrs. Abbott informed the Board that nowhere in the code did it say "repair". She said that Jay Becker removed boulders, also the seepage pit top as it was cracked, it was replaced with a new top, he also replaced broken lines because they got crushed by boulders that were on top of the lines. Mrs. Abbott also supplied two video clips of the work done. Chairman Spargo requested copies of the video clips.**
- **Chairman Spargo suggested that everything be referred to the Town Attorney for his interpretation of the verbiage of the Town Code.**
 - **Board Member Kisselback made a motion to adjourn the meeting, Board Member Godin seconded, the motion was carried with all members voting AYE.**

Respectfully Submitted,

**Peggy Sue Deitz
Administrative Assistant**