

Reardon: case no. 70.11-1-2.00

The meeting was called to order by Chairperson Dorothy Rathbun at 7:15 p.m. Zoning Board of Appeals (ZBA) members present in addition to Dorothy Rathbun were: William Gibson and Brennan Hoag. All persons present signed a register to be filed with these minutes.

Ms. Rathbun reviewed a variance application filed by Civil Engineer Jon McManus for property owner Warren Reardon. The variance requested is to allow 36 by 20 foot garage in a distance less than the 25 foot to the property boundary specified by Middlefield's Zoning Ordinance. The reason cited is that the property's topography limits other suitable placement. A favorable letter had been received from contiguous, northern neighbors Kolner and Frisbee. Other neighbors had not been contacted. Board members expressed concern that the building had the appearance of utility as a second residence. Mr. McManus assured them that it would have no features or fixtures such as plumbing, septic, etc .making it useable for a residence. The draft drawing filed with the application showed a height exceeding that allowed by the ordinance. The height shall not exceed 25 feet above the average natural ground level on all sides of the building to its highest point. Compliance with this will need to be affirmed by the final design drawings.

A motion to approve was made by Brennan Hoag with the contingency that all adjoining neighbors and those within 200 feet of the property boundary be duly notified of the requested action. Three weeks from the date of the notification shall be allowed for response. The garage placement shall be no closer than 17 feet from the property's northern boundary as depicted in the preliminary drawing. William Gibson seconded the motion. Members William Gibson, Brennan Hoag and Dorothy Rathbun then voted in favor.

Further action:

New York General Municipal Law Section 239: Board members reviewed and approved, relative to the ZBA, the waiver option for town officials of certain subdivision actions as allowed by this law.

The meeting was adjourned without any further business.

Respectfully submitted,



William Gibson, acting secretary