

**Minutes**  
**Zoning Board of Appeals**  
**May 11, 2017**

**Board Members Present:** Donne Lynn Winslow, Alan Hall, Sr., Mark Morey, William Oehler, Theresa Coughlin

**Board Member Absent:** Harold Moffitt

**Others Present:** Alexander Nikas, Patti Corlew (Zoning Administrator)

Meeting Commenced at 7:00 p.m.

Mr. Morey - This is the May meeting of the Town of Warrensburg Zoning Board of Appeals. Let the record reflect members present are Ms. Winslow, Mr. Hall, Mr. Oehler and myself. First order of business is approval of the minutes of the previous meeting, in March. Anyone have any corrections or..?

Mr. Hall - I have none.

Mr. Oehler - Nope.

Mr. Hall - Under my name. Except a lot of inaudibles.

Mr. Morey - Well, I read them over and it looked good to me. There wasn't...

Mrs. Winslow - Looked good to me.

Mr. Morey - We'll make a motion to approve as presented.

Mrs. Winslow - I'll make the motion.

Mr. Morey - I'll second. All those in favor?

**RESOLUTION #2017-7**

Motion by: Donne Lynn Winslow

Second by: Mark Morey

**RESOLVED**, to approve the Zoning Board minutes of March 9, 2017 as presented, without correction.

**DULY ADOPTED ON THIS 11<sup>TH</sup> DAY OF MAY, 2017 BY THE FOLLOWING VOTE:**

Ayes: Donne Lynn Winslow, Alan Hall, Mark Morey, William Oehler

Nays: None

Mr. Morey - There's Theresa.

Ms. Coughlin - Hi.

Mrs. Corlew - Hi, Theresa. Go up. Harold's not here.

Mr. Morey - We just did the roll call, so you can...

Ms. Coughlin - Thank you.

Mr. Morey - ...add Theresa to the roll, if you would, Patti.

Mrs. Corlew - I will.

Ms. Coughlin - Thank you. Good evening.

Mr. Oehler - Good evening.

Mr. Morey - First... First and only order of business is ZBA 2017-2. At this time, I'll open the public hearing. Patti, could you tell us how this comes before us, why?

Mrs. Corlew - Sure. Alex and Brittany would like to construct a garage 8 feet from the front property line. That is the other, Outside Hamlet zone, which requires 35 feet from the front property line. That is why he is before you tonight.

Mr. Morey - It's the custom of this board to swear anyone who's going to give any information to us.

Mr. Nikas - Sure.

Mr. Morey - If you'd raise your right hand.

Mr. Nikas - Sure.

Mr. Morey - Do you solemnly swear that the statements you are going to give the board are the truth, the whole truth and nothing but the truth?

Mr. Nikas - I swear.

Mr. Morey - Okay. Take your seat.

Mr. Nikas - Yes, sir.

Mr. Morey - If you, if you could come up here to the podium please. This drawing's a little bit. I looked at the property, but I didn't, it's a little hard to get, so...

Mr. Nikas - Mr. Hall came up as well and checked it out.

Mrs. Winslow - I was up there too. I didn't understand.

Mr. Hall - I stopped and asked him for an explanation.

Mr. Nikas - (Inaudible) Viele Pond up the road.

Mr. Morey - Okay, so this is Harrington Hill.

Mr. Nikas - This is Harrington Hill right here.

Mr. Morey - Yep. And the neighbor's line is, this is the...

Mr. Nikas - Yep.

Mr. Morey - ...the header there...

Mr. Nikas - Mr. Chamberlain...

(Tape inaudible; people talking at once).

Mr. Morey - Okay.

Mr. Nikas - And directly across the street is Hillcrest Road, which the, so the white line, or right here is the hedge row and we're planning on doing an offset garage with a driveway down the inside of the hedge row. We bought the house last year and

we were not aware of the construction of the house, they put it obviously way too close to the road. We have eight acres and this whole, this is all a downward grade.

Mr. Morey - Yeah, I saw that.

Mr. Nikas - If you went by and saw it.

Mr. Morey - Yep.

Mr. Nikas - It's not very logical because we have a septic system below and then to have a garage way down at the bottom is obviously not, not efficient, not effective, so we're planning or we're proposing a variance to build a garage in the driveway at this time for a location with an offset angle, sided the same, same colors, aesthetically pleasing (inaudible) driveway comes down the hedge row and exits right by where... I don't know if you saw the camper or the trailer down below.

Mr. Morey - Hm hm.

Mr. Nikas - The lower lot or parking area. It's not logical to have it on the other side of the house because you'd be crossing the septic. You'd be having a driveway over the septic and the grade over here is much more, there's much more of a grade.

Mr. Morey - Now the Lewis property is just below you there. That, do you know how far down that, how close is that to the, to the trailer, the camper roughly. Just, just...

Mr. Nikas - Their driveway is pretty much the line.

Mr. Morey - Oh, it is.

Mr. Nikas - I don't know if you saw that driveway, but that hedge row way down at the bottom here, right in that hedge row, is the line. So it's, it's 300 feet, 400 feet.

Mr. Morey - Patti, you said the setback was 35 feet?

Mrs. Corlew - Yes.

Mr. Morey - From the edge of the road.

Mrs. Corlew - Wherever the front property line is.

Mr. Morey - Wherever the front.

Mrs. Corlew - Hm hm.

Mr. Morey - Do you know how far it... You got center lines, do you know...

Mr. Nikas - 32, I know it's off of 25, so we're talking six feet, so the line, center line of the road to the tip of the garage will be 32 feet. We have 25 feet of town property, correct, from center line, to...

Mr. Morey - It depends on, on the road. Is that..? That's County highway, right, Alan?

Mr. Hall - Up that far, I'm not sure who... I know Warren County had serviced the upper end (inaudible).

Mr. Nikas - So we're talking six feet in the... If it is 25, we'll say, it's six feet from that town line to the corner and we might end up, if, if it's not set in stone, we might end up moving it closer to the house. We're just leaving...

Mr. Morey - Now you've got 15 feet at the widest point.

Mr. Nikas - Yes, at the widest point. At some point, we'll do a breezeway.

Mr. Morey - Do you have any guess as to what that would be there?

Mr. Nikas - It's going to be very narrow.

Mr. Morey - So not wide enough to get a vehicle through there.

Mr. Nikas - Not at all. That... In fact, that, with a snow load, with falling of snow, we're going to need some type of contingency for in between the two structures.

Mr. Oehler - Is there any reason why you're not tying the house, the garage to the house?

Mr. Nikas - Well, cross wall and (inaudible) an extensive financing and, and frost wall (inaudible).

Mr. Oehler - I should maybe recuse myself because I built your house.

Mr. Nikas - You did?

Mr. Oehler - I did build your house, yes. So I know everything about your house.

Mr. Hall - Why did you build it that close to the line then?

Mr. Oehler - That close, yeah. I know... I knew exactly what we, what the original owners were doing and it was built to have the garage actually tied to the house. It's, I don't... It doesn't matter to me how you're doing this, but I'm just saying it originally was built so that they were going to put a garage and it was going to be tied to the house.

Mr. Nikas - Yeah, I was wondering why it was steel door, no windows.

Mr. Oehler - Yeah, exactly. That's, and it's actually drywall, so that if you build it, it is already fire separation. All you have to do is take the siding off. The drywall's on there.

Mr. Nikas - Oh excellent. Okay.

Mr. Oehler - If you wanted to tie it to that, you actually have, you have the means to do that.

Mr. Nikas - Right. We were thinking we would do a breezeway.

Mr. Oehler - Okay.

Mr. Nikas - Attached breezeway and come back (inaudible).

Mr. Oehler - Well, you won't have to worry because (inaudible) five foot between if it's not drywalled, and it is drywalled behind there.

Mr. Nikas - Okay.

Mr. Oehler - So you have the fire separation. It's got to be 5/8 and I'm almost positive that it was 5/8. If you pull the siding off, you'll see there's 5/8 drywall on there.

Mr. Nikas - Okay.

Mr. Oehler - So, but it is, it is set up so you don't have to worry about... 'Cause they will make you drywall both sides 5/8 if you're not, if you're going to get closer than 5 feet to it.

Mr. Nikas - Okay.

Mr. Oehler - So, I don't know if I should recuse myself or?

Mr. Nikas - I don't believe it will be... This corner up in there, you're talking five feet, I believe it's over that.

Mr. Oehler - Okay.

Mr. Nikas - It's definitely over (inaudible).

Mr. Morey - You didn't make the decision..?

Mr. Oehler - I didn't make the decision. The homeowners made the decision we were going to put a 24 by 24. This garage is a little bit bigger, obviously 28 by 30, but it was going to be a 24 by 24 to drive in facing this way, straight.

Mr. Nikas - (Inaudible).

Mr. Oehler - You were going to back out towards Hillcrest, back over this way and drive out?

Mr. Nikas - Right, we considered that, but the distance and the dimensions, you'd only have... I mean, a truck would be narrow from the end of the driveway, end of the road (inaudible) driveway, so it's not very...

Mr. Oehler - Yeah, there's a lot... This was a very, very, very difficult site to build this house.

Mr. Nikas - I'm sure it was.

Mr. Oehler - I know you know how much water is there.

Mr. Nikas - Yep.

Mr. Oehler - And it's, it's extreme... It turned out perfect.

Mr. Nikas - (Inaudible) and everything. Yeah...

Mr. Oehler - Yeah, there's a lot of drain system in that building and it's, it's amazing that you don't have any problems, but I promised them there wouldn't be and there wasn't any, so. But it's, it's definitely, there's a lot involved in this.

Mr. Morey - I don't, I don't see that you have a conflict. You feel that you're able to give an objective..?

Mr. Oehler - Yeah. I, I, I have no, I have no problem (inaudible) yes or no.

Mrs. Corlew - I don't see...

Mr. Morey - Any of the other, none of the other board members...

(Tape inaudible; people talking at once).

Mr. Oehler - I just wanted to make sure that you know that I built the house and I know the house pretty well.

Mr. Nikas - (Inaudible).

Mr. Morey - Thank you for disclosing that.

Mrs. Winslow - Why's it at an angle?

Mr. Nikas - Well, we figured the driveway... Well, because the driveway's going to come down... I don't know if you just heard me say... If we went square off the house facing the road, if we want square (inaudible) off this way, the distance between the pavement and the end of the garage would be very limited, probably about the size of this deck. So if you park a truck out in this driveway, you're tailgate is almost out in the road... (Tape inaudible; people talking at once). It's not very effective.

Mr. Hall - ...wondering when they come down, how a plow on that wing is going to be.

Mr. Nikas - Oh yeah.

(Tape inaudible; people talking at once).

Mrs. Winslow - I was wondering about plowing, and there a ditch there.

Mr. Nikas - Not along... There's a ditch here along the, along the property line.

Mrs. Winslow - Along here there's a ditch, drainage ditch.

Mr. Nikas - There's a culvert. Yes, there is a culvert right there. Yes. And we, there was already a culvert pipe down here that actually diverts water across before the driveway.

Mrs. Winslow - Is this pretty level?

Mr. Nikas - That is the only level spot. That's why we're... This is...

(Tape inaudible; people talking at once).

Mr. Oehler - You actually have two leach fields here. There's one here and there's one on the bottom 'cause there's so much water that was in there.

Mr. Nikas - Yeah.

Mr. Oehler - There was a lot of water.

(Tape inaudible; people talking at once).

Mr. Oehler - The tank is like right here.

Mr. Nikas - Right.

Mr. Oehler - Right outside this.

Mr. Nikas - Right, and then the leach field comes across and...

Mr. Oehler - Goes across here.

Mr. Nikas - Before the driveway.

Mr. Oehler - Before the driveway, and the well is...

Mr. Nikas - It's back in the corner...

(Tape inaudible).

Mr. Morey - Which will be very important when they build the one up the hill. That they don't...

Mr. Oehler - Yeah, Dan knows. I told him, I said you need to be 100 feet off that. Just make sure if anybody builds there, they need to be 100 feet from your well. The septic has to be 100 feet.

Mr. Nikas - That's too bad he's going to sell it.

Mr. Oehler - He's wanted to sell it for a long... Since I was building up there, he's been wanting to sell it.

Mr. Nikas - When I was clearing, he was talking about building.

Mr. Morey - Okay. We're... Any of the other board members have any questions or?

(Tape inaudible).

Mr. Morey - ...drawing or anything else?

Mr. Nikas - Yeah, if there was another option, we were, we were going to (inaudible). Yeah, if there was any other option, we would have taken it, but there, there is no option unless we build out in the woods, hundreds of feet away, which is not a very logical decision for a garage.

Mr. Oehler - I don't really think there's any really possible way that you build it. It has to be in that area right there.

Mr. Nikas - That's the only viable...

Mr. Oehler - It's designed to be built there. They didn't want to go any farther back 'cause they didn't want to pay for any more excavation or we would've went back farther, but they did not. They were like... There's a severe amount of excavation (inaudible).

Mr. Nikas - It wasn't the Baers originally, was it, that built? It was somebody else?

Mr. Oehler - It was the Baers.

Mr. Nikas - Was it?

Mr. Oehler - Missy and Bill.

Mr. Nikas - Okay.

Mr. Morey - Patti, was there any... Was this presented to the County? Was there any impact?

Mrs. Corlew - No County impact.

Mr. Morey - No County impact. Okay. At this time, should we... Yeah, okay. At this time, I'll make a motion that this is a Type II listed action under the State Environmental Quality Review Act and that there will be no significant environmental impact as a matter of law.

Mr. Hall - I'll second that.

Mr. Morey - Mr. Hall seconds. All those in favor, say aye.

**RESOLUTION #2017-8**

Motion by: Mark Morey

Second by: Alan Hall

**RESOLVED**, to deem application #2017-2 by Alexander & Brittany Nikas, for tax map #224.1-1-6.112, located at 2172 Harrington Hill Road, for an area variance, as a Type II listed action under the State Environmental Quality Review Act and that there will be no significant environmental impact as a matter of law.

**DULY ADOPTED ON THIS 11<sup>TH</sup> DAY OF MAY, 2017 BY THE FOLLOWING VOTE:**

Ayes: Donne Lynn Winslow, Alan Hall, Mark Morey, William Oehler, Theresa Coughlin

Nays: None

Mr. Morey - So we'll proceed to the application. And as is the custom of this Board, I'll move that we approve ZBA 2017-2. Is there a second.

Mr. Oehler - I'll second it.

Mr. Morey - Okay. Now we'll proceed to discussion. We'll go through the application, then we'll discuss it if there's anything to discuss. First question, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the area variance. You answer, "no. The garage will be of moderate construction, aesthetically pleasing and matching color and style of existing home. Area for construction is an existing driveway. No traffic patterns will change".

Mr. Oehler - Are you putting a 12/12 roof on the garage?

Mr. Nikas - Most likely, but I, I'm not a construction guy..

Mr. Oehler - Okay.

Mr. Nikas - ...so we're going to have to do a, obviously somewhat of a steep pitch.

Mr. Oehler - You going to do what's on the house? The house is (inaudible) 12/12.

Mr. Nikas - Yeah.

Mr. Oehler - So it'll be...

(Tape inaudible).

Mr. Nikas - Most likely or very close to it. It's not going to be low.

Mr. Oehler - Right.

Mr. Morey - Any other questions? Okay, we'll go to number two. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance. You answer, "no. The property line's location and existing home, location of septic system and scope of property do not allow any other option. There is no garage or structure on the property to protect vehicles currently". Well, in light of Mr. Oehler's information, can you fill that out a little bit. I mean, the reasons that you wanted that separated or possibly place a breezeway were for snow load and what else?

Mr. Nikas - Just write it in on mine or?

Mr. Morey - No, no, no. Just...

Mr. Oehler - Explain it to us.

Mr. Morey - Explain it to us.

Mr. Nikas - Yeah. Like I said, there's, there's a snow load risk, falling snow. A little bit farther house, away from the house was good. No matter what we built, it was going to encroach on, on the town 35 feet.

Mr. Morey - Hm hm.

Mr. Oehler - So you want to run the roof line the opposite of what the house is?

Mr. Nikas - Well, if you look at the house square.

Mr. Oehler - Yeah.

Mr. Nikas - The garage will be off to the side with a little bit of an angle to it.

Mr. Oehler - Right, but you're not going to run the roof line the same exact way. The roof line is running toward Hillcrest Drive. You want to turn, you want to turn the house, the garage..

Mr. Nikas - Yes.

Mr. Oehler - ...completely the opposite way. Run the roof line so it's running towards your door to your (inaudible).

Mr. Nikas - (Inaudible) looking in at the house, it'll come off the right. The house comes straight towards you. The roof will come side to side.

Mr. Morey - It obviously wouldn't work... Well, that wouldn't work with the house (inaudible) to the way it is now.

Mr. Oehler - Well, you could, like I said, the way it was, it was supposed to be tied to the house actually and run the same roof line, step down; same exact kind of thing, but you want to move it, you don't want it tied to the house?

Mr. Nikas - No.

Mr. Oehler - It's what you want.

Mr. Nikas - Due to financial, obviously financial and we, we wanted the look of an offset.

Mr. Oehler - Right.

Mr. Nikas - Not just a square footprint.

Mr. Oehler - Okay.

Mr. Morey - Any other questions? Number three, whether the requested area variance is substantial. You answer, "no. The area of garage is 28 x 30. Space will remain between the garage and roadway, not encroaching on the town's 25 to 30 feet from the center of the road". So the, it... You're thinking maybe what 12 feet, 8 feet would be your actual setback that you would end up with. From the town line, it's going to be six to eight feet, somewhere in that area.

Mr. Morey - This board has generally considered anything over 50% deviation to be substantial, but in, in that area, in some area... And there's no opposition here. We gave Mr. Lewis, who adjoins you, a variance for his porch for the same reason. It was just, the houses are set out close to the road and the setback's pretty large there. I don't know if that'll be a problem for any of the board members, but... Any questions from..?

Mr. Oehler - No.

Mr. Morey - Number four, whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood. You answer, "no. No adverse effects will occur, no water erosion changes will occur, the location of proposed garage is on a current flat driveway of sorts", I guess.

Mr. Oehler - Now I've got a question for you. Are you doing frost walls with this garage or are you doing a monolithic pour?

Mr. Nikas - Not with this garage, no.

Mr. Oehler - You're doing a monolithic pour?

Mr. Nikas - We're doing, yes, a monolithic pour.

Mr. Oehler - Okay.

Mr. Nikas - That is the plan.

Mr. Oehler - With (monolithic) trusses above?

Mr. Nikas - There will be trusses above, yes. There will be an attic space.

Mr. Oehler - Okay. Did you get that approval yet from the County?

Mr. Nikas - No.

Mr. Oehler - 'Cause you're not going to be able to do it.

Mr. Nikas - What do you mean?

Mr. Oehler - (Inaudible) trusses above the, you can only go 24 by thirty, 24 by 32, and you can do a regular on a monolithic pour, but you cannot put room in attic trusses above it. If you want to do room in attic trusses, you have to go...

Mr. Nikas - So we're going to be doing a frost wall either way.

Mr. Oehler - You have to do a frost wall, yes.

Mr. Nikas - Okay. Well, I don't think we'll change the design if it's approved, but that's good to know. I was not aware.

Mr. Oehler - Yeah, that is the, that's the law when it comes to garages.

Mr. Nikas - Because of weight, weight load?

Mr. Oehler - Yeah. They just... They're real strict when it comes to...

Mr. Nikas - Red tape?

Mr. Oehler - Yeah. When it comes... You could (inaudible) 24 by 24, they're okay with monolithic pour, but 24 by 32 is the maximum size with room in attic trusses for monolithic pour. If you want to do it room in attic upstairs...

Mr. Nikas - (Inaudible) 28 and 30, same, it doesn't matter.

Mr. Oehler - You're going to do... You're going to do a frost wall, no matter what.

Mr. Nikas - Okay. Alright. Good to know. Thank you.

Mr. Oehler - 24 by 32 is the maximum size.

Mr. Morey - Okay. Anyone else? Okay, number five. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude granting of the area variance. You answer, "no. We purchased the home the Fall of 2015. We did not build the home ourselves. We had no knowledge of the conflict of house location and building a garage when purchase due to construction distance limitations.

Mr. Morey - And that is pertinent because as you said, as they, if, they would've needed a variance just to put the garage on the...

Mr. Nikas - Did they apply for a variance?

Mr. Oehler - When?

Mr. Nikas - With the house...

Mr. Oehler - No.

Mr. Nikas ...for a garage?

Mr. Oehler - No.

Mr. Nikas - So they were going to do this an... They were already coming here a different day.

Mr. Oehler - No, it's set up for a 24 by 24 garage tied to that house. You have enough room. You don't need a variance. It would still be within 35 feet.

Mr. Morey - Yeah.

Mr. Nikas - I come out my door on the side there and it's ten feet...

Mr. Oehler - To the center line? What, what is the length of the...

(Tape inaudible; people talking at once).

Mr. Nikas - ...from center line, you have 25 feet, but on top of 25 feet, you have 35 feet.

Mr. Oehler - (Inaudible) 35 or 10?

Mr. Nikas - 35 off the town line, so that puts me... When I walk out the door, I almost...

Mr. Oehler - I think we went off 10, 10 feet. What is the town, obviously we're 10, 10, 10?

Mrs. Winslow - This isn't hamlet.

Mr. Morey - Yeah.

Mrs. Corlew - I don't know if the setback was different at the time...

Mr. Oehler - It could've been back then.

(Tape inaudible; people talking at once).

Mr. Nikas - It was built in '09.

Mr. Morey - I'm not sure if that was changed during the new...

Mrs. Corlew - (Inaudible).

Mr. Morey - Well, no matter, you got, the setbacks we've got now is what you've got to live with.

Mr. Nikas - Yeah, that's right, sir.

Mrs. Corlew - You just applied for the house...

Mr. Oehler - Yeah, we didn't apply for the garage at all, no.

Mrs. Corlew - So it didn't matter. (Inaudible).

Mr. Morey - Okay. Well, with an area variance, you don't have to meet all the conditions, just the, in the opinion of the Board members, the majority of them. So I mean, any one of these isn't a, ya know, isn't your death just (inaudible) application. I'd like to remind the Board members of that. Any other questions? Alan?

Mr. Hall - No.

Mr. Morey - Donne?

Mrs. Winslow - No.

Mr. Morey - Theresa?

Ms. Coughlin - No. I'm good, thank you.

Mr. Morey - Bill?

Mr. Oehler - I'm good.

Mr. Morey - Well, if there's no other questions, then we'll proceed to a vote on the application at this time. An aye will be in favor. Donne?

Mrs. Winslow - Yes.

Mr. Morey - Alan?

Mr. Hall - Aye.

Mr. Morey - Theresa?

Ms. Coughlin - Yes.

Mr. Morey - Bill?

Mr. Oehler - Yep.

Mr. Morey - And I vote yes as well.

Mr. Nikas - Thank you very much.

#### **RESOLUTION #2017-9**

Motion by: Mark Morey

Second by: William Oehler

**RESOLVED**, to approve application #2017-2 by Alexander & Brittany Nikas, for tax map #224.1-1-6.112, located at 2172 Harrington Hill Road, for an area variance, to allow construction of a garage eight feet from the front property line.

#### **DULY ADOPTED ON THIS 11<sup>TH</sup> DAY OF MAY, 2017 BY THE FOLLOWING VOTE:**

Ayes: Donne Lynn Winslow, Alan Hall, Mark Morey, William Oehler, Theresa Coughlin

Nays: None

Mr. Morey - You can put your garage up there and...

Mr. Nikas - (Inaudible) working on it.

Mr. Oehler - You might have to change a little bit of your building plans.

Mr. Nikas - Get some more quotes.

Mr. Oehler - You're going to have to do some more... Yeah. You might have to do a little more...

Mr. Morey - Yeah, you've... This is only our approval.

Mr. Nikas - I don't work construction. (Inaudible) Fire Department.

Mr. Oehler - I know what it is. And it's a lot worse than it used to be, I can tell you that.

Mr. Nikas - Quick question. If we move this actually less encroaching, if it ended up being closer to the house, would that be a violation of this variance.

Mrs. Corlew - Yeah. You'd have to come back.

Mr. Nikas - For any change?

Mrs. Winslow - To make it closer?

Mrs. Corlew - You came for a variance for eight feet.

Mr. Nikas - Okay. Just making sure. Thank you all very much.

Have a good night.

Mrs. Corlew - You too.

Mr. Nikas - I will.

Mr. Morey - I guess the public hearing is closed.

Mrs. Corlew - I guess it is.

Mr. Morey - Since our only member of the public just left the room, so... Any new business coming before the board?

Mrs. Corlew - (Inaudible).

Mr. Morey - Then I make a motion to adjourn. Is there a second?

Mr. Oehler - I second that.

Mr. Morey - All those in favor.

Motion by Mark Morey, second by William Oehler and carried to adjourn the Zoning Board meeting of May 11, 2017.

Respectfully submitted,

Patti Corlew  
Recording Secretary

Zb05112017

**RESOLUTION #2017-7**

Motion by: Donne Lynn Winslow

Second by: Mark Morey

**RESOLVED**, to approve the Zoning Board minutes of March 9, 2017 as presented, without correction.

**DULY ADOPTED ON THIS 11<sup>TH</sup> DAY OF MAY, 2017 BY THE FOLLOWING VOTE:**

Ayes: Donne Lynn Winslow, Alan Hall, Mark Morey, William Oehler

Nays: None

**RESOLUTION #2017-8**

Motion by: Mark Morey

Second by: Alan Hall

**RESOLVED**, to deem application #2017-2 by Alexander & Brittany Nikas, for tax map #224.1-1-6.112, located at 2172 Harrington Hill Road, for an area variance, as a Type II listed action under the State Environmental Quality Review Act and that there will be no significant environmental impact as a matter of law.

**DULY ADOPTED ON THIS 11<sup>TH</sup> DAY OF MAY, 2017 BY THE FOLLOWING VOTE:**

Ayes: Donne Lynn Winslow, Alan Hall, Mark Morey, William Oehler, Theresa Coughlin

Nays: None

**RESOLUTION #2017-9**

Motion by: Mark Morey

Second by: William Oehler

**RESOLVED**, to approve application #2017-2 by Alexander & Brittany Nikas, for tax map #224.1-1-6.112, located at 2172 Harrington Hill Road, for an area variance, to allow construction of a garage eight feet from the front property line.

**DULY ADOPTED ON THIS 11<sup>TH</sup> DAY OF MAY, 2017 BY THE FOLLOWING VOTE:**

Ayes: Donne Lynn Winslow, Alan Hall, Mark Morey, William Oehler, Theresa Coughlin

Nays: None

