

Zoning Board Of Appeals
Meeting Minutes
April 21, 2014

The meeting was called to order at 2:59pm
Pledge of Allegiance

Roll Call:

Bill Bateman, Chairman	Present
Dorothy Bliss	Present
Emily G. Phillips, Secretary	Present
James Laforest	Present
Frank Walls	Present

Also Present: Lauren Murphy, Code/Zone Office
Kevin Hall, Surveyor
Nadine Lemmon

Bill Bateman welcomed new ZBA members James LaForest and Frank Walls to the board.

Tax Map ID# 57.01-1-5.1 Cordelia Sand. 2295 County Rt. 10

Chairman Bateman introduced the application and opened the floor to the public for comment. Kevin Hall, surveyor and representative for the property owner discussed the survey map, layout and history of property and proposed subdivision. Chairman Bateman thanked Mr. Hall for the thorough explanation and asked if the public had any more questions or comments.

3:07pm ZBA member Frank Walls excused himself to answer an EMT medical emergency.

Chairman Bateman moved forward with discussion of the application and submitted a brief summary of the subdivision and breakdown of the property, acreage and non-compliance with Town of Essex Zoning Law. The proposed 84.25 acres takes into account a 3.3 acre parcel owned by neighbors Kapper's and a 5 acre public road right of way. The Town of Essex does not recognize using publicly owned roadways or properties owned by others in calculations for subdivisions. Therefore the actual property size is approximately 75.95, a shortfall of 9.45 acres of 11.07%.

Chairman Bateman submitted written comments on behalf of neighboring property owner Jim Kapper. Mr. Kapper provided a history of the property and stated is opposition to the proposed subdivision.

Chairman Bateman then asked for discussion amongst the board. Mrs. Phillips expressed concern for the precedent to be set for an 11.07% shortfall, asked if there were any hardships or alternative options the property owner has considered. Discussion between Mr. Hall and Ms. Murphy on suggestions for Ms. Sand to consider. Mrs. Bliss also voiced concern about the parcel size not meeting the minimum requirement. Chairman Bateman asked for a motion to be made to approve or disapprove the application based on non-compliance with Town of Essex Zoning Law 3.1-6.

Motion to deny the application was made by Emily G. Phillips

Second by Dorothy Bliss

Bill Bateman, Aye. Dorothy Bliss, Aye. James Laforest, Nay. Emily G. Phillips, Aye.

Frank Walls, Absent.

Motion to Adjourn by Emily Phillips, seconded by James Laforest. All in favor. Meeting adjourned at 3:37 pm.

Respectively Submitted

Emily G. Phillips