TOWN OF STONY POINT ZONING BOARD OF APPEALS Minutes of June 18, 2015

PRESENT:

ALSO PRESENT:

Mr. Anginoli

Dave McCartney, Attorney

Mr. Keegan

Mr. Casscles

Mr. Vasti

Mr. Fox

Mr. Porath

Chairman Wright

<u>Chairman Wright</u>: Good evening. I see by the clock it is 7:00 PM. I will call this meeting of the Zoning Board of Appeals of the Town of Stony Point to order; please rise for the Pledge of Allegiance.

We have one (1) item on the agenda tonight; it's the request of Michelle Burns.

Request of Michelle Burns - Appl # 2015-0004

A variance from the requirements of Chapter 215, Article XIV, Section 94-D.1-C: Less than required front setback (corner Lot), required 19.8 feet provided 8.0 feet; to install an above ground pool in the front yard: variance for a 6 foot high fence in the front yard (corner lot) as per Chapter 215, Article VI, Section 24 C of the Stony Point Code at premises location at 35 Minerick Drive, Stony Point, New York

Section 20.07 Block 1 Lot 21 Zone R1

We have some new information here and what we are looking to do then is to re-open the Public Hearing so that we can have the applicant re-open and re-notice for the fence and the pool and what I'm looking to do is:

1. Open the Public Hearing back up.

***MOTION: Mr. Vasti made a motion to re-open the Public Hearing for the request of Michelle Burns; seconded by Mr. Fox. Hearing all in favor; the motion was carried.

2. We put this on the agenda for the July 2, 2015, meeting and the applicant will have to go ahead and re-notice.

***MOTION: Mr. Vasti made a motion to place the request of Michelle Burns on the agenda for July 2, 2015; seconded by Mr. Casscles. Hearing all in favor; the motion was carried.

Chairman Wright: Are there any other items of business that we need to discuss tonight.

Mr. MacCartney: I don't think so.

Mr. Casscles: On the pool, will we be making a decision that night?

<u>Chairman Wright</u>: So the expectation would be that we probably would because I think we've discussed these items; now it's really just a matter of making sure that we administratively address some of the issues that have come up. But, we've discussed them and I think the Board has felt in favor of it – the issue is going to be is if all of a sudden there is some unexpected reaction from the public that we need to, or other facts that come to light, we will have to consider; otherwise I would assume that we would probably make a decision.

Does anybody feel a need to go into Executive Session? I feel pretty comfortable with the facts and...

<u>Mr. Keegan</u>: I have no idea what the Kevin Maher thing was. You were reading this legal "mumble jumble". I really don't know what it means.

Mr. Fox: And that's why you want to go into Executive Session?

Mr. Casscles: That's right; you weren't here.

Mr. Keegan: I was here, but I wasn't here for that meeting. I was here when all this was going on, but I don't know what this court decision actually means.

Chairman Wright: So...

<u>Mr. MacCartney</u>: Would you like to discuss this in Executive Session I would be happy to address it?

<u>Chairman Wright</u>: You want to go into Executive Session?

Mr. Keegan: I would like to, yes.

***MOTION: Mr. Keegan made a motion to go into Executive Session, pending litigation; seconded by Mr. Fox. Hearing all in favor; the motion was carried.

***MOTION: Mr. Vasti made a motion to reconvene to the regular Zoning Board of Appeals meeting; seconded by Mr. Keegan. Hearing all in favor; the motion was carried.

***MOTION: Mr. Fox made a motion to adjourn the meeting of June 18, 2015; seconded by Mr. Anginoli. Hearing all in favor; the motion was carried.

Respectfully submitted,

Minutes taken by Cathy Finnerty and transcribed by Kathy Kivlehan