

**TOWN OF WINDSOR
ZONING BOARD OF APPEALS**

PUBLIC HEARING MINUTES

DATE: June 18, 2014

TIME: 8:00 P.M.

LOCATION: Windsor Town Hall

BOARD MEMBERS PRESENT: Mahlon Guernsey, Chairman
Heather Gordon, Secretary
Douglas Fuller
David Kohlbach

HEARING NUMBER/ APPLICANT: Public Hearing # 1-2014 / Gary Shedd

RE: Shedd application for an area variance from Article IV Section 93-20B of the Town Zoning Ordinance. Mr. Shedd requests the area variance to build a three car garage that partially extends forward of the principal building.

HEARING:

At a hearing of the Town of Windsor Zoning Board of Appeals on June 18, 2014 the above referenced request for an area variance was considered pursuant to the Town Zoning Ordinance.

Chairman Guernsey opened the hearing at 7:59 P.M. and entered into the minutes the following: Affidavit of Publication in the official newspaper, Affidavit of posting of the notice on the bulletin board in the Town Hall and Affidavit of mailing the notice of the hearing to all neighboring property owners within 500 feet. A 239 review from the Broome County Department of Planning and Economic Development is not required for this application. SEQR is also not required in this case.

Chairman Guernsey reviewed the hearing procedures to those in attendance, and swore in the attendees as a whole. Code Enforcement Officer David Brown was also in attendance at the hearing. Those in attendance who spoke for or against the area variance will be identified in these minutes under the appropriate headings.

In Support:

Applicant Gary Shedd was not in attendance at the hearing as he is currently out of the country. Code Enforcement Officer David Brown stated that he spoke to Mr. Shedd by phone this morning and Mr. Shedd authorized Mr. Brown to represent his interests at this hearing. Mr. Brown explained that the proposed three car garage will extend 8 feet in front of the house on one corner. There is an existing U shaped driveway that was put in 2-3 years ago. The garage would replace an existing shed. Mr. Brown stated that the proposed garage meets fire and access codes, would not block any views and would not be directly in front of the house. According to the application, the garage cannot be moved back any further due to utilities, and the garage will be partially hidden from view by existing trees.

In Opposition:

The Zoning Board of Appeals received a letter dated June 17, 2014 from Brad and Tammy Jenner of 130 White Birch Lake Road, Windsor. Secretary Gordon read the letter, which stated that they live across the road from the applicant, Mr. Shedd. They expressed concern about how many more trees will be removed to build the garage. The letter stated that by removing these trees the water gets deviated and runs down onto their property. They further state that Mr. Shedd has already removed numerous trees which affected the view they have had for many years.

In response to this letter, Mr. Brown stated that he does not believe that any more than one or two additional trees will be removed to build the garage, if any. The previous trees were removed 2-3 years ago to put in the driveway.

CLOSING:

Chairman Guernsey closed the hearing at 8:17 P.M. The Zoning Board of Appeals will meet again on July 16, 2014 at 7:30 P.M. to consider the application and testimony of those in support of and opposed to the area variance, and expect to make a decision on the application at that time. Mr. Shedd will receive written notice of the decision of the Zoning Board within 60 days of this hearing.

Respectfully Submitted,
Heather Gordon, Secretary