

**Town of Horicon  
Zoning Board of Appeals**

**DRAFT**

**December 18, 2018  
Minutes**

**Present at Meeting:**

Cheryl Erickson, Chairperson  
Scott Olson, Vice-Chairperson  
Pat Farrell  
James Dewar  
Rich Nawrot,  
Ross Schoembs, Alternate # 1

**Also Present:** Town Legal Counsel Justin Grassi, Michael Bird, Sally and Tom Thurston, Bob Olson, Tim Beadnell, Troy Beadnell, Chris Storm, Meredith Todd, Sam and Tina Maltbie, Bill McGhie, Roger Friedman, Joseph Miragliotta.

Chairperson Cheryl Erickson called the meeting to order at 7:00 p.m.

**Pledge**

**Review of Minutes:** Pat Farrell made a motion to accept the November 27, 2018 minutes as written. Second by Jim Dewar. **ALL AYES.**

**PUBLIC HEARING:**

**File # 2018-15 AV  
Tax Map # 20.10-1-38  
Russell and Nancy Esterline  
East Shore Drive**

Requesting an Area Variance from **Zoning Code 6.10** for a Roadway setback of 53' where 60' is required, a Shoreline setback of 0' where 50' is required and a side yard setback of 7.5' where 15' is required for a set of stairs leading from an existing deck to boulders below to access the shoreline.

Roger Friedman was present to represent the Esterline's proposed request for variances. He stated that the Esterline's purchased the property in 2005. They have not built on it and it has been for sale for a while. When they purchased the property there was a pre-existing deck in rough shape and they were able to replace the deck in kind with a new deck that was permitted. The height of the deck is about eight to ten (8'-10') feet off of the lake and they would like to put in steps down the shoreline and eventually to a dock. Zoning Administrator Jim Steen did say that the Esterline's would be able to put in a dock of fifty-four (54) square feet. They own 18'.6" of lakefront. It is a 1.47 acre piece of property. The dock does not exist yet and right now they want to put in the stairs. At the last meeting it was suggested to make it a temporary collapsible stairway because of ice.

Chairperson Cheryl Erickson asked if the stairs are three (3) feet wide.

Roger Friedman responded that is correct.

Chairperson Cheryl Erickson asked the board if there were any more questions.

Chairperson Cheryl Erickson stated that no correspondence has been received regarding this project.

Being no further questions or comments Pat Farrell made a motion to close the Public Hearing. Second by Scott Olson. **ALL AYES.**

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**UNFINISHED BUSINESS:**      **File # 2018-15 AV**  
   **Tax Map # 20.10-1-38**  
   Russell and Nancy Esterline  
   East Shore Drive

Pat Farrell stated that he thought it was a prudent plan and it would be a safety factor having the stairs there because trying to get down seven or eight foot embankment to use their dock once they put the dock in would be difficult.

Jim Dewar stated that it is no different from other properties on East Shore Drive and they have had requests like this before.

Chairperson Cheryl Erickson stated that this is a pre-existing deck.

Chairperson Cheryl Erickson stated that we received the Warren County Planning Department Project Review and the County finds that the project will not create any significant municipal or county-wide impacts.

Chairperson Cheryl Erickson stated that the Board would now go ahead and discuss the Balancing Test to balance the benefit to the applicant with detriment to the health, safety and welfare of the community.

The ZBA further finds:

1. The proposed project cannot be achieved by any other means possible because the applicant needs access to the lake. He has 18.6' feet of waterfront that is taken up by the deck so the staircase achieves the goal of the applicant to access the lake. He cannot get around the deck because of boulders on the sides. A stairway of some sort would have to be built.
2. There is no undesirable change in the neighborhood character or undesirable change to nearby properties because it is similar to other properties on East Shore Drive and there are steep declines going down to the lake in that area.
3. The request for the shoreline setback is substantial percentage wise; however, the roadway setback is not excessive and a typical setback for that area. The side yards are very narrow because of the size of the property. The applicant is requesting to do the minimum necessary in order to access the dock. The staircase is not excessive in size.
4. The request will have no adverse physical or environmental effect on the property or to neighboring properties because this solution will not disturb the surrounding terrain and there will be no detrimental effects to the shoreline. It is the best solution to allow access to the lake.
5. This difficulty is self-created because when the deck was first built the stairs were not included at that time however, that is not prohibitive for approval.
6. This is the minimum variance necessary because there are no other options for placement of the staircase needed to access the lake. The lot is very narrow and the deck takes up practically the whole lot with boulders and vegetation on the sides. The staircase is the safest and stable way to access the lake.

Scott Olson made a motion based on the previous discussion to approve the variance for the shoreline setback for the structure to sit at zero (0') feet from the shoreline where fifty (50') foot is required, a roadway setback for the structure to sit fifty- three (53') feet where sixty (60') foot is required and a side yard setback for the structure to sit seven and one-half (7.5') feet from the side where fifteen (15') foot is required for **File 2018-15 AV**. Second by Pat Farrell. **ALL AYES.**

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**PUBLIC HEARING:**

**File # 2018-16 AV**  
**Tax Map # 55.7-1-4**  
Thomas and Sarah Thurston  
882 Palisades Road  
Brant Lake, NY 12815

Requesting an Area Variance from **Zoning Code 6.10** for a shoreline setback for the addition to sit 10' from the shoreline where 100' is required.

Michael Bird the architect for Thomas Thurston was present to speak about the proposed project. He submitted into the record a new plat for the Board that shows the existing and proposed structure. They put most of the addition to the rear of the property as much as possible with the constraints that they have. The plat is color coded and the red section is the addition and the blue section is the existing. The decks are connected to the house as well. The addition is about twenty-seven (27') feet across and six (6') feet to the back. There are no other places to put the addition due to the septic placement and the driveway on either side of the existing home.

Chairperson Cheryl Erickson asked if everyone was able to get out to the site for a visit.

Some of the Board members did get a chance to do a site visit.

Rich Nawrot stated he was at the site today and asked if the existing structure is ten (10') feet from the shoreline.

Michael Bird responded it's actually closer because of the way the shoreline curves.

Chairperson Cheryl Erickson stated the last time Michael Bird was here he talked about a basement and she was out to the site and was wondering how that will be accomplished.

Michael Bird responded that if there is no bedrock they can excavate and pour footings. If there is bedrock that could cause a problem. It is surprisingly inexpensive in the scope of things. Michael Bird went on to state that they intend to raise the house and dig out the underneath the structure then put it back down and it will not increase the height.

Tom Thurston stepped in to state that the basement will be for the foundation and mechanicals only, not living space.

Chairperson Cheryl Erickson asked if the existing house is on a foundation.

Tom Thurston stated the house is currently on piers.

Chairperson Cheryl Erickson asked about the size of the equipment that you would have to bring in on that little tiny driveway in order to do something of that magnitude.

A discussion ensued regarding types of equipment necessary to accomplish the task.

Scott Olson asked Michael Bird if the first floor of the existing house will be the same level as the first floor of the addition.

Michael Bird responded yes they will be at the same level.

Chairperson Cheryl Erickson asked when the original house was built.

Tom Thurston responded it was built in 1946.

Chairperson Cheryl Erickson asked how long they have owned the house.

Mrs. Thurston responded fifteen years and her family rented it for fifteen years prior.

Chairperson Cheryl Erickson asked how many bedrooms are in the current house.

Michael Bird responded currently there are three (3) bedrooms.

Scott Olson stated that the plans show they are proposing to go to seven (7) bedrooms.

Michael Bird responded yes, that is correct, seven (7) bedrooms. Mrs. Thurston stated that they are adding three (3) bedrooms and converting the current kitchen into a bedroom.

Chairperson Cheryl Erickson stated the square footage of floors one and two for the existing house is 2990 square feet and the proposed addition, first and second floor, will add 3718 square feet of living space.

Michael Bird stated the existing house is actually six feet six inches (6'6") away from the shoreline.

Chairperson Cheryl Erickson stated that is not a problem because it was built prior to zoning regulations.

Pat Farrell stated that the height of the house is right up against the bank and the road is almost up to the roof line and you will not see a big building from the road, maybe just the roofline. He stated that from the lake looking at the house it will be next to the bank so visually right there it will not look that large.

Chairperson Cheryl Erickson stated she would have to disagree. She thinks it will look the same height from the lake. You will lose at least 12 trees six (6") in diameter or more for the proposed addition, and a few more trees in order to move around the equipment necessary for the construction. Most of the vegetation will be on the sides of the property and not anywhere near the length of the house. The terrain goes in and there is a retaining wall and then goes in a little bit more and then the terrain goes up again slightly, then on the other side of the driveway the embankment that goes to the road. Above that where the septic will be located is very steep. The other parts of the property are terraced very gently. She does not think there will be as much of an occlusion of the roofline as Pat thinks because there are no trees blocking the house from the lake.

Pat Farrell stated but it will not be sticking up above the tree line at the bank behind the home so the silhouette will not look that large.

Rich Nawrot asked Mr. Bird if he will be clearing within 35' of the shoreline.

Chairperson Cheryl Erickson responded yes not all of it but quite a lot of it.

Rich Nawrot asked how long the shoreline of the property is.

Michael Bird stated about 600'.

Chairperson Cheryl Erickson stated that the portion on the lakeside looked to be about half of that measurement.

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Michael Bird stated that from the corner of the addition to the side line is approximately 412' and from the existing house corner to the sideline is about 82'.

Chairperson Cheryl Erickson asked about the length of the house.

Michael Bird stated that it is about 70' in length.

Chairperson Cheryl Erickson and Scott Olson both stated it has to be more than that.

Michael Bird stated that the addition is about 37' in length and the existing house is about 68' in length so about 105' in total length all the way to the deck on the addition.

Chairperson Cheryl Erickson asked if there were any more questions or comments.

Being no further questions or comments Chairperson Cheryl Erickson stated that the Board received two letter from adjoining owners that have objections to the size of the home and the closeness to the lake.

Ms. Carole Hunt and Mr. Richard Tynebor stated that they have concerns about the closeness of the new construction to the lake and they think a ninety foot variance in a hundred foot variance zone is not reasonable.

Ms. Ann and Mr. James Sidford feel the addition is excessively long and it almost doubles the exposure to the lake. They would like to know if there is some way to make this exposure less and if trees or landscaping can be installed to lessen the visual effect from the lake.

Mr. Tom Thurston spoke to the Board and he wanted to express to the Board members his reasoning for the size of the home. He stated he has four grown children that would like to spend more time up here. They only have three bedrooms right now and need more room. It is an Adirondack camp from the 1940's that is not winterized and they still pull the water from the lake. We purposely did not drill a well because they knew they would have to upgrade the septic and well when they did an addition to the home. They put on a porch in 2005 and kept the same character of the neighborhood in an Adirondack style. It is bigger but the location of the existing house prevents them from going to the back or to the sides for the expansion. He does agree that it is a dramatic change in scope and size.

Scott Olson stated that one of the questions the Board has to ask themselves is this the minimum variance necessary so you will have to defend the pub because it is a substantial portion of the plan and if you eliminate the little bump out with the room upstairs it becomes a smaller project as far as its impact from what the Board is considering. You will have to explain why you need this.

Tom Thurston responded that right now they have large groups of people at dinners and they have a pub at home and it gets a lot of use. They did push its location back. He stated that his mother is 80 years old and has a difficult time with stairs as well as his wife's mother. That is why they want bedrooms on the first floor for them and the pub is a gathering place for all.

Chairperson Cheryl Erickson stated this home would never be able to be built currently and be in compliance with the Town Ordinances. You do have a nice covered porch there and you are essentially building another house next to the existing home. That the size of the proposed addition is so much bigger than the existing house makes this more like new construction. Ideally, the variances necessary in keeping with the Town Ordinances would be much less than what you are requesting. We are looking to make this more in compliance with the Town Ordinances.

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Tom Thurston stated that the basement will be a foundation and not a walkout and have no living space. Right now the mechanicals are located behind the kitchen and if they have to they can stick them in the basement. The existing porch will be closed in now and would like to have another porch because that's where they live and would like to be able to maintain that. The house is there already and is six (6') feet from the water. He cannot go back too far because of the road.

Rich Nawrot asked if the basement is not a full one and only about 6' high will the mechanical facilities be able to be put into the basement.

Tom Thurston stated yes and there will be bilco doors to the basement. There are no stairs on the plans.

Rich Nawrot asked If you were able to put your mechanicals in the so called basement what happens to room where mechanicals are located now on the plan.

Tom Thurston stated then it gets reduced in size.

Scott Olson asked what the width of the addition is not counting the pub.

Tom Thurston stated 19'.7" would be the width without the pub room.

Tom Thurston asked the Board if they could reconvene and then he discuss with the architect changing the plan.

Chairperson Cheryl Erickson stated that yes they could leave the Public Hearing open and come back next month with different plans minimizing the impacts.

Michael Bird stated that there really is no way to get around the ten (10') setback because they are dealing with the existing structure.

Scott Olson responded that you are asking for thirty-seven (37') feet of variance across the front to the house so if you were to ask for twenty (20') of variance that would be less which would not be minimizing the encroachment on the lake but the total encroachment.

Chairperson Cheryl Erickson suggested to the applicant that the addition might be moved back a little and let the covered porch be ten (10') feet from the lake. You would be removing a lot of mature trees so if you can show us you can minimize those impacts you would have a better foot to stand on.

Rich Nawrot asked if the existing structure is year round one.

Tom Thurston responded that it is not year round but once the addition is completed the whole home will be winterized.

Chairperson Cheryl Erickson asked if the driveway is the Thurston's driveway or Cindy Meade's driveway.

Tom Thurston stated it is their driveway but they allow Cindy Meade to use it in the winter because her driveway is so steep with the snow and ice she would not be able to get out of her driveway.

Chairperson Cheryl Erickson asked Mr. Thurston to provide a landscape plan that would screen the home from the lake and specify the kind of trees he would plant and what size they would be because this project has to be reviewed by the APA and they are not happy when trees are removed from the shoreline and houses are built so close to the lake. That has to be justified.

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Chairperson Cheryl Erickson asked Secretary Terri Katsch to provide the Board with information about other homes that size and how far from the lake they are in that neighborhood of Palisades Road.

Chairperson Cheryl Erickson stated that they would keep the Public Hearing open. She asked the applicant to consider a floor plan that would reduce the variance request for the addition so as to minimize the impact. She asked the applicant to provide a rough sketch for a landscaping plan showing replanting for screening the house from the lake.

Scott Olson suggested that they provide a picture of what the property looks like from the lake now and a rendering of what the new proposal will look like when finished with screening from the lake.

Being no further comments Scott Olson made a motion to keep the Public Hearing open until next month, January 22, 2019 and that the materials previously discussed be presented at that time. Second by James Dewar. **ALL AYES.**

Michael Bird indicated that because they have revisions he is not sure they would be ready for the January 22, 2019 meeting and if not would it be okay if they attended the February 2019 meeting.

Chairperson Cheryl Erickson stated yes that would be fine. Just call the Zoning Office and let them know which meeting you will be ready to attend.

Justin Grassi stated that because the proposal will be minimized there is no need to re-notice the hearing.

**PUBLIC HEARING:**                      **File # 2018-17 AV**  
   **Tax Map # 122-3-3**  
   Ridin-Hy Ranch  
   95 Ridin-Hy Ranch Road

Requesting Area Variance from **Zoning Code 8.35** Shoreline setback for a structure to sit 79'.7" where 100' is required for a Tourist Accommodation.

Tim Beadnell was present to speak about his proposed project. As a little review he stated that they had the fire in October 2017 lost the main lodge at that time and they went to the permitting process and now they are hoping to receive their Certificate of Occupancy this week in order to open for business next week. When they rebuilt the Lodge after the fire because of the new codes and ADA requirements they had to take 8 rooms out of the main lodge in order to stay on the old Lodge footprint. The purpose of the new building is to replace 8 rooms lost in the new lodge construction. To build this new building we will need to remove an existing 5 bedroom house, so we will be losing an additional 5 rooms. The new building will be connected to the Main Lodge through a hallway. Tim Beadnell showed the Board members the map of where the new building will go. The connector building houses the sprinkler tank that was required to put in and the diesel fire pump that was required to be put in. It already has a zoning compliance for the connector building. The new structure would be 79'.7" from the lake. Normally, a 75' shoreline setback is required, however, for Tourist Accommodations the shoreline setback is 100'. The current building to be removed is on a separate lot so they will have to do a Boundary Line Adjustment to accommodate the new building. We will be demolishing a building that is 52 feet from the lake now so will be increasing the distance from the shoreline with the new building versus the existing structure they want to remove. Tim Beadnell showed the Board members the renderings of the new building with the proposed rooms and a photo of the main lodge that was built. It will be tied to this building and will blend in nicely with the landscape around it. It will have the same accents as the Lodge building and tie in nicely with the landscape around it.

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There was some communication at the last meeting about how this falls on the lake so Tim Beadnell showed the proposal rendering to the Board to indicate the visual impact from the lake and the only portion of the property visible from the lake belongs to Ridn-Hy as well. He showed where the road comes in for a turning circle and for fire access so they could not go further back than that. The floor levels are the same with the Lodge building determined by the ADA compliance. The storm water will be discharged away from the lake. So the grade will permit the storm water back to the north into a field that will retain that storm water.

Jim Dewar asked if the building is on a slab.

Tim Beadnell responded yes and both buildings will be on the slab.

Scott Olson asked if the house to be demolished is on a separate lot.

Tim Beadnell responded yes it is on a separate lot and they are going to do a Boundary Line Adjustment to take a portion of lot 122-3-2 the section that goes forward to the lake and combine it with the lodge property on lot 122-3-3.

Scott Olson asked that when it is all said and done what will be the distance away from the side yard boundary line.

Tim Beadnell responded that it will be 50.7 feet where 50 is required.

Chairperson Cheryl Erickson stated that they could dismiss the side yard setback variance request and condition the approval of the shoreline setback variance request on the Boundary Line Adjustment being approved.

Scott Olson asked what will be the distance to the new building.

Tim Beadnell said the distance to the lake from the new building is 55.5' and that is the variance that was approved last year.

Scott Olson asked if there will be any plantings in front of it.

Tim Beadnell stated they have no plans for plantings because they already have mature trees in front of it and they have no intention of removing any trees.

Joe Miragliotta asked Tim Beadnell some questions about the septic and exactly how many rooms will this building have.

Tim Beadnell showed Joe Miragliotta all of the changes to the lodge and explained where all the runoff will go.

James Dewar asked if the lake is spring fed.

Tim Beadnell responded the lake is spring fed and it has an outlet that runs continually.

Chairperson Cheryl Erickson asked if the septic can accommodate that extra 16 rooms.

Tim Beadnell stated yes, the changes made that were required by the Department of Health for the new building were made and the Department of Health will dictate whether the field has to be adjusted accordingly.

Joe Miragliotta asked Tim Beadnell how close is the leach field to the Schroon River.

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Tim Beadnell responded at least 400'.

Being no further questions or comments Jim Dewar made a motion to close the Public Hearing. Second by Pat Farrell. **ALL AYES.**

**UNFINISHED BUSINESS:**       **File # 2018-17 AV**  
  **Tax Map # 122-3-3**  
  Ridin-Hy Ranch  
  95 Ridin-Hy Ranch Road

Requesting Area Variance from **Zoning Code 8.35** Shoreline setback for a structure to sit 79'.7" where 100' is required for a Tourist Accommodation.

Chairperson Cheryl Erickson stated that we will be considering only the lake front setback and condition our approval on the Boundary Line Adjustment to eliminate the need for a side yard setback.

Chairperson Cheryl Erickson stated that this application did not have to go to the Warren County Planning Department for review.

Chairperson Cheryl Erickson stated that the Board would now go ahead and discuss the Balancing Test to balance the benefit to the applicant with detriment to the health, safety and welfare of the community.

The ZBA further finds:

1. The proposed project cannot be achieved by any other means possible because the applicant has constraints of the fire access circle which pushes the building closer to the lake and keeps the addition on the same level as the lodge. This type of construction is needed due to loss of the rental space they had prior to the fire. The purpose is due to the loss of the other buildings and the new fire codes and new ADA code restrictions. This project intentionally minimizes natural grade disturbance and maximizes storm water capture.
2. There is no undesirable change in the neighborhood character or undesirable change to nearby properties because it is already a Lodge and will be in keeping with the style and structure of the new Lodge.
3. The request is not substantial because it is less than what is currently there on site and is back further from the lake which is an improvement.
4. The request will have not have any adverse physical or environmental effects on the property or to neighboring properties because they are leaving a mature stand of trees to shield the lodge from the lake. They are removing one house in order to add to the existing lodge. They will only be removing two small apple trees. There is a plan for the runoff to be drained back to the rear of the property and not on anyone else's property. There will be no erosion into the lake.
5. The alleged difficulty is self-created however, with reasons that are understandable. The original lodge had eight (8) more rooms that were lost because of the new ADA requirements needed after the fire. The proposed addition will be replacing the eight (8) rooms lost in the fire and the 5 rooms in the house that will be torn down to build the addition..
6. This is the minimum variance necessary because he cannot go further back due to the fire access road and ADA requirements. The side yard setback will be eliminated by a Boundary Line Adjustment

Scott Olson made a motion that this is an Unlisted SEQR action and to make a negative declaration with there being no significant environmental impacts. Second by Pat Farrell. **ALL AYES.**

Scott Olson made a motion to approve the shoreline setback of 79.7' where 100' is required for a Tourist Accommodation with the condition that the need for a side yard setback will be eliminated by Boundary Line Adjustment with a portion of tax parcel 122-3-2 into tax parcel 122-3-3 be completed. Second by James Dewar. **ALL AYES.**

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**PUBLIC HEARING:**      **File # 2018-18 AV**  
                                 **Tax Map # 88.17-2-12**  
                                 Meredith Todd  
                                 27 Delaney Drive  
                                 Brant Lake, NY 12815

Requesting an Area Variance from Zoning Code 6.10 Roadway setback for a 25' x 25' garage to sit 43' from the centerline of the road where 60' is required.

Meredith Todd was present to speak about her proposed variance request. She presented the new site plan and located the map of the 100 year flood zone as well. If she goes further from the road she would be closer to the flood zone. There is very little of the property that is outside of the flood zone that is closer to the road. The odd shape of the property prevents her from having the garage placed other than where it is proposed because it would be steeper and require a longer driveway. She will be using the existing driveway to enter the garage from the side which would cause less disruption to the existing driveway and maintain screening between road and garage. Some trees will have to be removed for the garage but it will not be clear cut by any means. Putting the garage further down the hill would be closer to the well which she does not want to do. The idea is to have the same siding and roof as the house has for the garage. It will be cedar siding with dark brown trim around the windows and roof is a shade of brown. The shape of the roofline is asymmetrical and the garage will be the same so as in keeping with the house.

Scott Olson asked if there will be any attic in the garage.

Meredith Todd stated that it will be designed for storage only. No sleeping quarters, no plumbing just electrical for lighting. There will be 4' footing into the ground.

Rich Nawrot asked if the garage will be off of that driveway shown on the drawing.

Meredith Todd responded it will be off of the driveway as seen but will go to the opposite side and not the street side which will require less modification of the driveway.

Chairperson Cheryl Erickson told Meredith Todd that if she gets this variance, that when she hires someone to build the garage you get they will just have to at least 43' from the centerline of the road.

Chairperson Cheryl Erickson stated that there are some nuisance trees that are leaning that will be cut down.

Meredith Todd stated that the walkway shown is cleared and will not require any more trees to be cleared.

Chairperson Cheryl Erickson asked if there were any more questions or comments.

Being no further questions or comments Scott Olson made a motion to close the Public Hearing. Second by Jim Dewar. **ALL AYES.**

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**UNFINISHED BUSINESS:**

**File # 2018-18 AV  
Tax Map # 88.17-2-12  
Meredith Todd  
27 Delaney Drive  
Brant Lake, NY 12815**

Requesting an Area Variance from Zoning Code 6.10 Roadway setback for a 25' x 25' garage to sit 43' from the centerline of the road where 60' is required.

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Chairperson Cheryl Erickson stated that the Board would now go ahead and discuss the Balancing Test to balance the benefit to the applicant with detriment to the health, safety and welfare of the community.

The ZBA further finds:

1. The proposed project cannot be achieved by any other means possible because the applicant has constraints of a small piece of property. The garage is not excessive for the size of the lot and the proposed placement is the flattest piece of property.
2. There is no undesirable change in the neighborhood character or undesirable change to nearby properties because it a residential neighborhood that all have garages or structures close to the road. It will match the colors of the house and will be a minimal impact from the road.
3. The request is not substantial because it is only a 17' variance request and it will sit 43' from the road.
4. The request will have not have any adverse physical or environmental effects on the property or to neighboring properties because it is consistent with the neighborhood. It is a small project and will not need much excavation. Some tall older pines will be removed that are now leaning over which will be an improvement to the property once they are taken down.
5. The alleged difficulty is self-created however, with reasons that are understandable and not prohibitive. There is no storage and Ms. Todd would like to add the storage she needs.
6. This is the minimum variance necessary because she cannot go further back because she would be closer to the water and the requested area to build is the flattest part of the property.

Scott Olson made a motion to approve the variance of 17' for the garage to sit 43' from the centerline of the road where 60' is required with the following conditions:

1. The structure to be built will be similar in style, character and coloring of the existing home.
2. There is to be no living space in the attic of the garage.

Second by Pat Farrell. **ALL AYES.**

**Reminder:**

**Correspondence: APA Reversal Letter on Tim Barber's file.**

**Public Comments:**

**Board Comments:** Pat Farrell wanted to make some statements regarding the Tim Barber file that was overturned by the APA. He looked at the letter and went back to look at the site. The Board discussed the APA letter.

Chairperson Cheryl Erickson stated that she would like to thank all of the Board members and that this is the best Board we have had in a while. Everyone participates, visits the properties and contributes their best.

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Bob Olson stated that on behalf of the Town Board he would like to extend thanks to the ZBA for their service and the meeting tonight was very skillfully handled.

Being no further reminders or comments Scott Olson made a motion to adjourn the meeting. Second by Jim Dewar. **ALL AYES.**

**Adjourn:** 9:00 PM

**Next meeting date:** *January 22, 2019*

Respectfully Submitted,  
*Terri Katsch, Secretary*