



Monday, December 4, 2023

7:00 PM

Brant Town Hall

Zoning Board of Appeals - 12/4/23 Meeting Minutes

I. Call to Order:

Chairman Broughton, noting a quorum was present, called the meeting to order at 7pm.

II. Attendance Roll Call:

All members and the alternate were present.

III. Approval of Previous Meeting Minutes:

Approve Minutes of Zoning Board of Appeals Meeting held June 26, 2023. A motion to approve the minutes as presented was made by Paul Cesana and seconded by Richard Vespa. All approved; motion carried 5-0.

IV. Reading of Open Hearing Public Notice:

The Open Hearing Public Notice was read by Secretary Barbara Daniel.

V. Motion to Open Public Hearing:

A motion to open the Public Hearing was made by Paul Cesana and seconded by Christopher Czech. All approved; motion carried 5-0. The public hearing was opened.

The planning board advisory letter was read by Secretary Barbara Daniel and relevant information for the case was presented. All paperwork was in order. The home owner Derrick Emke's application was presented. The board asked a few questions and they were answered satisfactorily. No one else present spoke up.

VI. Motion to Close Public Hearing:

A motion to close the Public Hearing was made by Kathy Vespa and seconded by Richard Vespa. All approved; motion Carried 5-0. The public hearing was closed at 7:10pm.

VII. Deliberation & Decision:

Case # 2023-02 —Area Variance: Derrick Emke, SBL 269.00-4-19, located at 10455 Versailles Plank Rd. After discussing the case, the following motion was made by Frank Broughton: "to approve the area variance application for Derrick Emke the property located at 10455 Versailles Plank Rd for the following:

Side yard setback of which 50ft is required, approved to 15 ft.

Also for the ZBA Chairman to file the case in the Town Clerk's office within 5 days in resolution form per town code, based on the recommendation of the planning board and the information determined in the deliberation in regard to the 5 questions used to determine if the benefit to the applicant has a negative effect on the health, safety, and welfare of the neighborhood and community, which the approval does not effect negatively." The motion was seconded by Paul Cesana. A roll call vote was called: Frank Broughton - Aye, Paul Cesana - Aye, Christopher Czech - Aye, Richard Vespa - Aye, Kathy Vespa - Aye. Motion Carried 5-0.

VIII. New Business

The chairman explained the need for new applications, as the current one does not address the 5 questions used for area variances and 4 questions used for use variances which are required to consider in deliberation in passing a variance. Also needed is an application for an interpretation variance. Paul Cesana spoke and gave his concerns as to the process of the board creating the forms. The chairmen mentioned that the new application for area and use variances are based on the forms that our new CEO's are used to using with the Town of North Collins and it fits well for our town to use them also. A motion to approve the use of the new variance applications was made by Frank Broughton and seconded by Kathy Vespa. A roll call vote was called: Frank Broughton - Aye, Kathy Vespa - Aye, Paul Cesana - Nay, Christopher Czech - Aye, Richard Vespa - Aye. Motion Carried 4-1.

Paul Cesana started to speak about the composition of the current zoning board and the Chairman stopped the discussion and said that it should be addressed with the Town Board.

As the vote to close the meeting was taking place resident and planning board secretary Lynda Ostrowski spoke out from the floor about how the chairman was wrong that the boards do not need to address 5 questions to deliberate the case and that they are made up questions by the chairmen - the meeting was closed and no discussion was held on the out of order statement.

IX. Motion to Close the Meeting

A motion to close the meeting was made by Frank Broughton and seconded by Christopher Czech, all were in favor, motion carried 5-0.

Meeting was closed at 7:51PM.

Respectfully Submitted,



Barbara Daniel
Secretary