

**TOWN OF KNOX
ZONING BOARD OF APPEALS
September 27, 2007**

In attendance: Dave Holley; Gayle Burgess; Robert Simpson; Ken Kirik; Amy Pokorny; Bob Edwards; Earl Barcomb, Chairman; Carol Barber, Recording Secretary

The meeting was called to order at 7:32 p.m. by Secretary Robert Simpson. Robert offered Travis Gardineer an apology for not being able to conduct his Public Hearing at the August meeting due to the fact that there was not a quorum present.

OLD BUSINESS

Mr. Gardineer of Thompson's Lake Road, was in attendance for a Public Hearing held over from August. He is requesting a variance to install a 6 ft. fence on his property. He is requesting 6 ft. due to availability of materials. It will be a solid, vinyl fence, tan in color, installed 30' from the center of the road. There will be gates in the driveway that will swing in. There will be a tree line outside of the fence. He has contracted with AFSCO and installation will take 3-5 days to complete. Mr. Gardineer pointed out that Zoning Ordinance Article 5 states that the fence can be placed anywhere on his property so long as it does not interfere with the traffic line of sight.

Tim Thompson, Mr. Gardineer's neighbor was in attendance and questioned the reason for the fence. Mr. Gardineer stated that it is for the safety of his family and for privacy. Mr. Thompson stated he has no safety concerns with the fence, but does not want the back of the fence facing his property.

The Board set the following conditions:

- the fence is to be 35' from the center of the road, which gives a 5' setback
- installation is to be completed before the end of the year
- The "good side" of the fence is to face out
- A 5 ft. access setback will be maintained between the applicant and Mr.

Thompson's

property. Mr. Gardineer promised to cut the grass on his neighbors side.

A motion was made by Amy Pokorny, seconded by Dave Holley to grant the variance with the above conditions. Motion carried.

NEW BUSINESS

Ted & Stacy Loucks of 2178 Berne Altamont Road were in attendance requesting a side area variance to build a 20' x 52' addition to the back of their home. Their property consists of 5.4 acres and is pre-existing, non-conforming. The addition will be 1 floor with a crawl space and attic trusses. According to Mr. Loucks, there are no septic or well issues involved. They are also hoping to solve their drainage problems as well with this addition. It was noted that this construction has already begun and a stop work order was issued by Building Inspector Robert Delaney.

Mr. Robert Moon, a neighbor of the Loucks' was in attendance. He stated that he was not notified in writing as to this request as stated in the Ordinance. He presented a letter to the Board which he requested be read out loud. Robert Simpson read the letter as requested. Some of Mr. Moon's concerns are whether the Loucks' front yard septic field conforms to the NYS Health Dept. requirements for the size of the house/bedrooms in existence; he believes that his well and the well of Mrs. Jenny Stevens have been seriously compromised with possible infiltration of wastewater and state that this new construction will be approximately 23 ft. from his home which will compromise his view, sunlight and open space together with the 6 ft. fence which is already on the property line.

Robert Stevens was also in attendance representing his mother, Mrs. Jenny Stevens, who was ill and unable to attend. He made no comment.

Amy Pokorny explained that she had supplied the Loucks' with a variance application and instructions.

Robert Simpson explained at least twice that the Board was not approving this variance at this meeting. The Loucks' are being given the opportunity to supply any missing information at next month's meeting. Bob Price, Planning Board Chairman, was also in attendance and stated that stamped drawings should be presented to the Board and is appalled that this has not been done. Robert Simpson believes that there may need to be a Health Dept. review of this project. Bob Edwards noted that he was concerned that construction had begun without any approvals. Robert Simpson advised the Loucks' that it is very important to communicate with neighbors. He explained that the Loucks' must ensure that all neighbors are notified of this application.

This Public Hearing will be continued at the October meeting.

Ms. Alberta Bouck of 171 Rock Road was in attendance. She is requesting a property division. She was referred to the Planning Board for a boundary adjustment by recommendation of the ZBA. The ZBA agrees to allow the property line to be only 20' from the barn to increase property size.

In a motion made by Robert Simpson, seconded by Dave Holley, Ms. Bouck's request is supported by the ZBA.

Warren & Carol Willsey were in attendance inquiring about the flea market property on Rt. 443. They will meet with the Planning Board.

John Carsten, Board Member of Helderberg Ambulance was in attendance requesting an area variance for the 3 acres of property they have purchased from Mrs. Frieda Saddlemire at the corner of Knox Cave Road and Street Road. Mr. Carsten stated that one-third of the ambulance calls are in the Town of Knox and they are seeking to house at least one ambulance initially in the town. A well has been drilled and they have acquired Health Dept. approval. They are proposing a 36 x 56', 2 bay, Morton type building. They met with the Planning Board at the direction of Building Inspector Bob Delaney and were told that it is a non-residential use in a residential area and that 15 acres would be required. A Public Hearing will be scheduled for the October meeting.

The resignation of Mr. Larry Wilson from the ZBA was received. The Board truly appreciates his years of service.

The members welcomed Gayle Burgess to the Board and look forward to working with her.

A motion was made by Ken Kirik, seconded by Robert Simpson to adjourn the meeting at 9:36 p.m. Motion carried.

Respectfully submitted,

Carol Barber
Recording Secretary