

**TOWN OF MAYFIELD  
BOARD OF APPEALS  
February 23, 2005**

At the regular monthly meeting of The Board of Appeals, Town of Mayfield, Fulton County, New York held at the Village Hall at 7:00 p.m., there were

PRESENT: James Cownie, Chairman  
James Rulison, Board Member  
Myrna Hallenbeck, Board Member  
Richard Dixon, Board Member  
Wesley Muddle, Board Member

OTHERS PRESENT: Michael Stewart, Code Enforcement Officer, Catino Samperi, Richard Bumpus, Robert McCloskey, Attorney Michael Smrtic, Cindy Ostrander, Clerk

Chairman Cownie opened the meeting at 7:00 p.m. and welcomed the public.

APPROVAL OF MINUTES-on a motion by Myrna Hallenbeck and seconded by James Rulison the minutes of January 26, 2005 were approved as submitted.  
CARRIED 5(five) AYES 0(zero) NAYS.

PUBLIC-None at this time

CORRESPONDENCE-

HCCC Conference was discussed.  
Mileage reimbursement report was discussed.

UPDATES-

Chairman Cownie discussed the conference he had attended and how informational it was. Walt Ryan, Town Board Councilperson, called Chairman Cownie about information he would like to share with the Board of Appeals.

**PUBLIC HEARING-CATINO SAMPERI**

A motion was made by Richard Dixon and seconded by James Rulison, that this meeting be interrupted to hold a Public Hearing advertised and scheduled for this evening at 7:10 p.m.

Following a review of the variance application that was submitted by Catino Samperi, a legal notice was printed on February 14, 2005 in the Leader Herald and the Recorder with

a copy of said notice posted on the Town Hall Bulletin Board. Certified letters and a copy of said notice were sent to property owners within 100'. A copy of said notice was given to the clerk to be included in the record.

The board held a discussion on the above application and questioned Mr. Samperi.

Wesley Muddle made a motion to close the Public Hearing and Richard Dixon seconded. CARRIED 5(five) AYES 0(zero) NAYS

**Samperi Application Decision**-The Board completed the area variance findings and decision form on file with the clerk at this time. It was noted that each question was discussed and answered. The Board conducted a vote on the variance with a decision of 5(five) AYES 0(zero) NAYS to grant the variance as presented.

### **PUBLIC HEARING-ROBERT MCCLOSKEY**

A motion was made by Myrna Hallenbeck and seconded by Wesley Muddle, that the regular meeting be interrupted and the Public Hearing for Robert McCloskey scheduled for 7:20 p.m. be opened.

Following a review of the variance application that was submitted by Robert McCloskey, a legal notice was printed on February 14, 2005 in the Leader Herald and the Recorder with a copy of said notice posted on the Town Hall bulletin board. Certified letters and a copy of said notice were sent to property owners within 100'. A copy of said notice was given to the clerk to be included in the record.

James Cownie informed the Board and Mr. McCloskey that the variance application should have been referred to the County Planning Board for their review and recommendation, because the property is within 500' of a state highway. For this reason the Public Hearing will have to be adjourned until the March meeting. Michael Smrtic spoke on Mr. McCloskey's behalf. James Cownie adjourned the Public Hearing at 7:37 until 7:10 p.m. on March 23<sup>rd</sup>, when the hearing will be continued. Mike Stewart will call the Town Attorney for his advice.

### **VARIANCE APPLICATIONS**-None at this time

A motion was made by Wesley Muddle to adjourn the meeting at 7:55 p.m., seconded by Myrna Hallenbeck.

Respectfully Submitted,

Cindy Ostrander, Clerk