

TOWN OF MAYFIELD
BOARD OF APPEALS
March 23, 2005

At the regular 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, Ed Lamberton, Cindy Ostrander, Clerk.

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

APPROVAL OF MINUTES-on a motion by Richard Dixon and seconded by Wesley Muddle the minutes of February 23, 2005 were approved as submitted.
CARRIED 5(five) AYES 0(zero) NAYS.

PUBLIC-None at this time.

CORRESPONDENCE-None at this time

UPDATES-With the acceptance of the resignation of James Rulison, the Mayfield Town Board appointed Richard Bumpus Jr to complete his term. Chairman Cownie thanked James Rulison for all his years of service and made note of the fact that he had not missed a meeting during his time on the Board of Appeals.

A letter was received from the County Planning Board recommending disapproval of the McCloskey variance application. The letter is to be placed in the McCloskey file to become a part of the permanent record.

VARIANCE APPLICATION

1. Richard & Karen Smith

An application was submitted March 17, 2005 by Richard & Karen Smith for property located on Lakeside Drive, SBL#104.2-1-15. They are proposing to remove an existing house and construct a new single Family home. This proposal does not comply with Local Law #1-1985, Section 2.2, as it applies to a 15 (fifteen) feet setback. The board discussed the application and a motion to schedule a Public Hearing for Richard & Karen Smith on April 27, 2005 at 7:10 p.m. was made by James Rulison, seconded by Richard Dixon. CARRIED 5(five) AYES 0(zero) NAYS

PUBLIC HEARING-ROBERT MCCLOSKEY

A motion was made at 7:10 p.m. by James Cownie and seconded by Myrna Hallenbeck that this meeting be interrupted to continue a Public Hearing regarding a variance application by Robert McCloskey for property located on Route 29, SBL#152-4-1. It was noted that Mr. McCloskey was not present, and that there was no one present to represent him. This public hearing had been adjourned at the February 23, 2005 meeting of the Board of Appeals at which both Mr. McCloskey and his attorney Michael Smrtic were present.

Ed Lamberton, an adjacent property owner, was present and spoke against any more billboards being placed in the area.

James Cownie discussed the letter dated 3/16/05 from the County Planning Board recommending disapproval of the McCloskey variance application.

The board held a discussion on the above application.

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

McCloskey Application Decision-The Board completed the use variance findings and decision form on file with the clerk at this time. Each of the four tests was discussed and answered, and it is the determination of the Board that the applicant has failed to prove unnecessary hardship as required by state statutes. A voice vote was taken to deny the variance application and it carried unanimously. 5(five) AYES 0(zero) NAYS

OTHER-the board discussed the need to appoint a Vice-Chairman, James Rulison made a motion to appoint Wesley Muddle, Myrna Hallenbeck seconded. CARRIED 5(five) AYES 0(zero) NAYS

Town Board Councilperson Walter Ryan spoke to the board of appeals and started by thanking everyone for their service on the board. He discussed use variance information he found informative from a conference he had attended.

Myrna Hallenbeck made a motion to adjourn the meeting at 8:30 p.m. and Richard Dixon seconded.

Respectfully Submitted,

Cindy Ostrander, Clerk