

MINUTES OF THE ZONING BOARD OF APPEALS – JULY 27, 2023 – THE TOWN OF KINGSBURY

MEMBERS PRESENT:

William Whipple, Chairman

Michelle Richardson

James Ross

Brian Heasley

Katherine Henley

Excused: Scott Winchell

OTHERS PRESENT:

Jeff Meyer, Esq., Town Attorney

Michelle Allison, Representative for Applicant

The meeting was called to order by Chairman Whipple at 7:00 PM.

Roll call of members.

Chairman Whipple entertained a Motion to Approve the Minutes of the June 29th, 2023 Meeting.

ON A MOTION BY Jim Ross and seconded by Michelle Richardson with all in favor, the minutes of the June 2023 Kingsbury Zoning Board meeting were adopted.

AYES: 5, NAYES: 0, ABSTAIN: 0, MOTION CARRIED

Chairman Whipple presented **Michelle Allison, representative of William H. Wells**, owner of Tax Map 154.11-6-9, commonly known as 1073 State Route 196, located in Zoning District LDR25-Low Density Residential, who is seeking a Zoning Variance of the 80 foot setback requirement with a 40 foot relief.

Ms. Allison stated that Mr. Wells would like to move his home forty feet closer to the road to create a larger backyard for his grandchildren.

Mr. Ross expressed concern of approving the variance and having an issue with any future owners of the property looking to build a house and Chairman Whipple suggested placing a restriction for non-permanent structures.

Mr. Meyer stated that the property is eighty-five feet wide with the two tax parcels combined. He recommended that the two parcels be merged should the variance be granted.

He noted that there is a required seventy-foot setback from the road and twenty-five foot side setbacks for this zone, so Mr. Wells would need a thirty-foot variance request for the front and a two-foot variance request for one side yard as it is currently at twenty-three feet.

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It was determined that the Request for Variance Application stated that there was only one tax parcel for consideration when there are two tax parcels, as well as an additional variance needing to be requested for the side yard, along with an overcalculation of the original variance request for the front setback.

ON A MOTION BY Jim Ross and seconded by Michelle Richardson with all in favor, this agenda item was tabled until complete information could be supplied to the Board for consideration.

With no other business to discuss, Chairman Whipple made a motion to adjourn the July Kingsbury Zoning Board of Appeals meeting and Katherine Henley seconded. All vote in favor by voice vote. The meeting was adjourned at 7:16 pm.

Alie Weaver, Secretary
Town of Kingsbury Zoning Board of Appeals