

MINUTES
TOWN OF GHENT
ZONING BOARD OF APPEALS
February 10, 2021

Chairman Streeter opened the virtual meeting at 7:02 pm. Present: Board members Fern Fleckman, Jack Fenn, James Andrews, and Beth Lenahan. Also present, applicant Shawn Harvey.

Minutes of the January 13, 2021 meeting were approved as amended on a motion by Jack Fenn, seconded by James Andrews. All in favor.

Chairman Streeter begins by reminding the members that a decision will be made prior to each meeting as to whether the Board's Attorney (Matt Cabral) and/or the Code Enforcement Officer (Chris Keefe) need to attend. And, if any member feels that one or both should attend a future meeting, contact the chairman several days prior to the meeting. Neither attended this meeting,

Public Hearing:

102.1-44.2 Shawn Harvey requests an area variance for the front yard setback. The public hearing was opened on a motion by Chairman Streeter and seconded by Jack Fenn. Mr. Harvey explains he is looking to build a garage/carport and states it would have to go on the west side of the house, as shown on the map. He states that there is a 50-foot setback requirement beginning 25 feet from the centerline of Carpenter Rd., and he has 27 feet as currently shown on the map.

Jack Fenn asked if the structure can be moved further east, closer to the house, or further north, away from Carpenter Rd., such that the variance will be smaller or eliminated entirely. Mr. Harvey states that due to surface grade and established trees, moving the structure to the east would require significant excavation and removal of several trees. The structure also cannot be moved further from Carpenter Rd. due to a steep drop-off and constant erosion at the back of the property. He also states the carport cannot be located to the east of the house as the well is to the east of the house.

Fern Fleckman asked if neighbors had been notified and how the Board could be assured of this notification. Shelly Radley stated that notices were mailed and two of the recipients called the Town to ask what was being proposed. They did not voice any concerns during the call.

No comments were received from members of the public and the hearing was closed.

Findings of Fact:

James Andrews states he does not believe there will be any detriment to the neighborhood, he does not believe this was self-created nor that the applicant could move the structure to avoid the need for a variance. He also stated that this request was less than the 50% rule of thumb that the board typically goes by and that he would vote to approve.

Beth Lenahan agreed with these findings but sought clarification from the applicant that there were currently trees between the proposed building location and Carpenter Rd. and that the trees would not be removed. The applicant concurred.

Fern Fleckman and Chairman Streeter agreed with these findings of fact.

Jack Fenn agrees with the findings of fact except that he was not convinced that the structure could not be relocated which would lessen or avoid the need for a variance altogether.

Motion was made by Chairman Streeter and seconded by Beth Lenahan to approve a 23-foot variance from the required 50-foot set back. It was clarified that the 50-foot set back was required beginning at a point 25 feet from the centerline of Carpenter Rd. All members voted in favor.

Meeting was adjourned at 7:45 pm.

Respectfully submitted

Lewis Streeter
Chairman