

**TOWN OF SOMERS
ZONING BOARD OF APPEALS
MEETING MINUTES
TUESDAY, NOVEMBER 10, 2009**

I. Call to Order: Chairman Torres called the regular meeting to order at 7:35 pm.

II. Members Present: John Torres, Barbara Flebotte, Daniel Scully, Robert Minch, Jerome Young, and Rick Krein. Absent: B.J. Ferro III

Public Hearing was opened at 7:36 pm.

III. Public Hearing

1. Winthrop Stevenson

Chairman Torres read a letter from the applicant stating that they are not prepared for a hearing at this time and requesting postponement until next month.

A motion was made by Commissioner Minch; seconded by Commissioner Young and unanimously voted to continue the public hearing for Winthrop Stevenson until next month.

2. Leonard and Elaine VanWingerden

Commissioner Scully read the legal notice. The applicant is seeking a variance from Somers code 214-98 requirement for 50' front yard setback to allow for a proposed attached garage to their house at 178-200 Stafford Road.

Mr. VanWingerden presented his case and provided photos of the corner lot property and plans for the additions. His son and family are living in the house. Currently there is an unattached garage on the property that sits 8 feet from the road and predates the Somers zoning regulations. The applicant proposes removing this garage. Because of the location of the well and slope of the land a new garage can only be constructed in the proposed location, which is within 25 foot of the roadway. The garage will be about 20'X23'. A 12'X14' foot family room will also be constructed.

Mr. VanWingerden used the plans and photos to explain layout of the proposed garage and the addition to the Commissioners and to answer their questions.

The house is 45 feet from the road, thus already non-compliant with current zoning regulations. The applicant took measurements from the center of the road. It was determined that no variance was needed for the 368 square foot addition and therefore it was dropped from this application.

A motion was made by Commissioner Scully; seconded by Commissioner Flebotte and unanimously voted to adjourn the public hearing.

The hearing stood adjourned at 7:50pm.

IV. Regular Meeting

The Regular Meeting was continued at 7:50pm.

V. Minutes Approval: October 13, 2009

Corrections for October 13, 2009 Minutes are as follows:

Section III.1, paragraph 8; change **sever** slope to **severe** slope.

Section V. line 2; change **Mrs.** Flebotte to **Ms.** Flebotte.

A motion was made by Commissioner Flebotte; seconded by Commissioner Krein and unanimously voted to approve the Minutes of October 13, 2009 as amended.

VI. Public Hearing Discussion/Decision

1. Winthrop Stevenson

No discussion as the Public Hearing was postponed.

2. Leonard and Elaine VanWingerden

The Commissioners determined that a 25-foot variance is required, which will allow a 25-foot setback from the road. It was agreed that with removal of the existing garage the location of the new structure will be an improvement as regards the setback regulation.

A motion was made by Commissioner Scully; seconded by Commissioner Minch and unanimously voted to cease discussion and vote.

The Commissioner voted unanimously to approve the 25-foot variance with the provision that the existing garage be torn down.

VII. Old Business - There was no Old Business.

VIII. New Business

Chairman Torres notified the ZBA that the Town Clerk advised him that a ZBA meeting schedule for next year is needed by January 2010.

IX. Correspondence: There was no Correspondence.

X. Bills:

A motion was made by Commissioner Krein; seconded by Commissioner Scully and unanimously voted to pay the bills.

XI. Adjournment:

A motion was made by Commissioner Flebotte; seconded by Commissioner Young and unanimously voted to adjourn the Meeting of the Zoning Board of Appeals at 8:05 pm.

The meeting stood adjourned at 8:05 pm.

Respectfully Submitted,

Jeanne Reed
Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING