

**TOWN OF SHANDAKEN ZONING BOARD OF APPEALS**  
***MINUTES FOR PUBLIC HEARING & REGULAR MONTHLY MEETING 1/16/13***

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The Public Hearing was opened by Acting Chairman Guglielmetti at 7:55 PM with the Pledge of Allegiance to the Flag. The Secretary called the roll, advised that a quorum was present and that the meeting could commence.

ROLL CALL:

<i>Gary Guglielmetti</i>	<i>Present</i>
<i>Tom Hickey-Chair</i>	<i>Absent</i>
<i>Keith Johnson</i>	<i>Present</i>
<i>Joe Michaels</i>	<i>Present</i>
<i>Rolf Reiss</i>	<i>Present</i>
<i>Roll Call Summary:</i>	<i>4 present, 1 Absent</i>

*Also Present: The Honorable Tom Crucet and Barbara Vilela*

*The Honorable Tom Crucet administered the Oath of Office to the attending Zoning Board of Appeals members.*

Acting Chair Guglielmetti opened the Public Hearing

Case 2012-13 Gabrielle Stutman 116 Round Hill Rd. Dobbs Ferry, NY requesting a side yard variance for property located at 15 Lilly Ave. Phoenicia, NY SBL# 13.6-2-8, Zoned R1.5

Barbara Villella is here representing Ms. Stutman. She indicated that this is for a deck located on the side yard. She also owns the adjacent piece of property. The deck does not protrude any further into the front yard.

The secretary indicated there was no correspondence received in regards to this case.

Member Reiss indicated that the deck is already constructed and is approximately thirteen (13) feet from the property line, but that Ms. Stutman also owns the adjoining property.

Motion made by member Reiss to close the Public Hearing. Seconded by member Joe Michaels, all members present in favor.

The regular monthly meeting was opened and roll call was dispensed with as there was no change to the attendance. A motion was made by Member Reiss to approve the Stutman application as submitted, and declare this a Type II SEQRA requiring no further review. Seconded by member Keith Johnson, roll call vote:

Keith Johnson-Yes  
Rolf Reiss-Yes  
Joe Michaels-Yes  
Gary Guglielmetti-Yes  
4 Yes 1 Absent

Other Business: Definition of a deck. Previous Building Inspector Art Christie requested the ZBA define a deck and the setbacks. Member Reiss presented information on the definition of a deck and setbacks from other towns in our area and other areas. Discussion ensued on this information.

A decision was made that the members would review the information submitted, and revisit this issue at the next meeting.

Training: The secretary went over the upcoming training. Joe Michaels indicated he would like to attend the training in Delhi

Member Joe Michaels made a motion to accept December's minutes as presented. Seconded by member Gary Guglielmetti, all members present in favor.

There being no further business a motion was made by Member Rolf Reiss to adjourn. Seconded by member Gary Guglielmetti, all members present in favor.