

TOWN OF LONG BEACH
ADVISORY BOARD OF ZONING APPEALS

Long Beach Town Hall

Meeting Minutes for January 12th, 2016

The meeting was called to order at 7:00 p.m.

1. Pledge of Allegiance

Roll Call: Board members in attendance: Chairman Mike Gorman, Meg Kanyer, John Kocher, John Wall

Absent: None

The Board acknowledged that Alan Hill submitted his resignation as a member of the Board and thanked Mr. Hill for his years of service to the Town.

Attorneys in attendance: Julie Paulson and Connor Nolan of Harris Welsh & Lukmann

2. Approval of Minutes: None presented

3. Preliminary Hearings

a. Nikola K. Chalk Trust by Nikola K. Chalik, Trustee – 1412 LakeShore Drive
Developmental Standards Variance request to install a septic system 89.4 feet
behind the 106.6 view protection line.

Represented by John Wojcik, Atty and Tom McCormick, Builder. A list of property owners within 300 feet of the property have not been notified.

Plan to demolish an existing house and build new with the new septic system out beyond the 106.6 view line.

Julie noted that the adjacent property owner's notification information was not in the file. Wojcik said he dropped it off at the Town Office today, January 12, 2016.

Tom McCormick stated after questioning that he did approach the Building Commissioner with the septic system plan and was denied a permit in December 2015.

Julie Paulson pointed out that a septic system is considered a structure for zoning purposes as any above or below ground elements is considered a structure.

The Board voted unanimously to hold the public hearing on February 9, 2016

provided that the required adjacent property owner info and additional information about the existing septic system is provided to the Board.

4. Public Hearings

a. 2906 LakeShore Drive Land Trust (Robert Roule)- 2906 LakeShore Drive- Developmental Standards Variance request to allow a 4' high black aluminum fence to be placed 13 feet from the front property line, a variance of the front yard setback of 2 feet.

Robert Roule presented information and discussion ensued about the location of the fence and the reasons for installing it. Robert admitted that the Fence Contractor did not get a permit before the work began and there was some confusion between him and the Contractor about locating the fence.

The public comment section of the hearing is opened.

Dennis Breen of 2910 LakeShore Drive, an adjacent neighbor, spoke in favor of the fence. The garage area has a large drop off.

Joe Jogman of 2213 Florimond Drive questioned the exact placement of the fence. He stated that the fence may be on town property and the fence set-back requirements may affect the location or potentially negate the need for a variance. Joe also asked if the Board has a Platt or survey. 11 feet is the current measurement.

Jane Neulieb of 2201 Florimond Drive states the encroachment is too close and spoke against the variance due to clearance issues with fences and landscaping elements causing unsafe areas on LakeShore Drive for pedestrians. Many properties are too close to the road. The fence is currently at the front of the property, 25 feet from the center of LakeShore Drive.

The public comment section is closed.

The Board Discussion commences.

It is discussed that a survey is needed. The Petitioner needs to ask the Building Commissioner about the fence setback. The property lines are needed, and the sides and front lines need to be marked.

John Kocher motions to postpone the public hearing until further information is received, seconded by John Wall. The Board voted unanimously to continue the hearing until February 9, 2016.

5. Old Business – None.

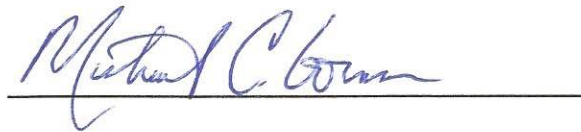
6. New Business

Attorney Julie Paulson reported that the Long Beach Town Council, at its meeting on January 11, 2016, directed that the Board of Zoning Appeals is authorized to move forward in identifying a candidate to serve as Secretary to the Board. Board member Meg Kanyer will meet with Town Officials in this regard.

7. Adjournment: Motioned by John Kocher, seconded by Meg Kanyer, the meeting unanimously adjourned at 8:10 p.m.

Agenda Attached.

Minutes Approved by:
BZA Chairman Mike Gorman



A handwritten signature in blue ink, appearing to read "Michael C. Gorman", is written over a solid horizontal line.