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MINUTES OF MEETING --ZBA/Town of Gallatin April 12, 2011

PRESENT: Fred Simoncini/Chairman
Davis Simmons/Member
Betty Harte/Secretary

Richard Humphries/V. Chair
Mike Kriz/Member

Jeffry Levitsky-Applicant
2 Members of the Public (as per attached)

CALL TO ORDER: Chairman Simoncini made a motion to open the meeting at 6:30 PM.

MINUTES: Chairman Simoncini made a motion to accept the minutes from the March 30, 2011 Public Hearing (Exline). Second by Mike K. Roll call vote. All in favor, motion carried.

OLD BUSINESS: Chairman Simoncini made a motion to open the Public Hearing for Jeffrey Levitsky, second by Rich Humphries. All in favor, motion carried. Mr. Levitsky is requesting a variance from section 4.3 of the Town of Gallatin Zoning Ordinance. He is building a barn/garage, and needs to decrease the set back. As requested previously, Mr. Levitsky submitted a copy of the deed. Chairman Simoncini asked the applicant-who issued the original building permit-(it was Drew Weaver) and if this structure was on the original plans. Mr. Levitsky advised that it was not. The president of the Homeowners Assoc.(member of public) advised that in the deed each house site is required to have a barn/garage and that it was supposed to have been built within 18 months. Drew Weaver would not necessarily been advised of this originally. Because of the contour of the property there is no other site viable for the construction.

Chairman Simoncini made a motion to close the Public Hearing, second by Davis Simmons. Roll call vote. All in favor, motion carried.

The findings were:

- All surrounding neighbors were notified by certified mail
- Site review was made
- The Planning Board was notified with no comment
- There was no public comment
- The character of the neighborhood will not be changed
- The Homeowners Association regulations require that each house site have a garage/barn.

Chairman Simoncini made a motion to accept the findings, second by Mike Kriz. Roll call vote. All in favor, motion carried.

V.Chairman Rich Humphries made a motion to grant the variance, second by Mike Kriz. Roll call vote. All in favor, motion carried.