

**TOWN OF GALLATIN/ZBA
MINUTES OF PUBLIC HEARING
May 31, 2016**

PRESENT: Fred Simoncini-Chairman Richard Humphries- V. Chairman
 Betty Harte-Secretary Tom Garrick-Member

Applicant –Beverly Kerzner Joseph Christiana
 Black Oak Builders Nedda Marus
 Allen Rappalyea

CALL TO ORDER: Chairman Simoncini called the meeting to order @ 6:30 PM.
It was noted that the second applicant-Alex Vlack was not yet in attendance.

MINUTES: Chairman Simoncini made a motion to accept the minutes from the May 2016 meeting. Second by Tom Garrick. All in favor-motion carried.

OLD BUSINESS:

Chairman Simoncini made a motion to open the Public Hearing for applicant-Beverly Kerzner. Second by Rich Humphries

All paperwork was reviewed. All the structures are already existing-they will be used by the family and employees of Ms. Kerzner. It was noted that there is a Conservation Easement by the Dutchess County Land Conservancy. This was not previously stated when the applicant appeared before the board. This easement has more of an affect- and is more restrictive than the Gallatin Zoning laws. Both the applicant and Attorney Rappalyea have spoken to the DLC. Ms. Kerzner has a letter and email from the DLC advising that they will approve the mentioned project. A copy of this will be forwarded to the Board. It was stated that the variance will be granted on a conditional basis, pending the approval by the DLC.

Chairman Simoncini made a motion to close the Public Hearing, second by Rich Humphries. All in favor motion carried.

- The findings:
- All surrounding neighbors were notified by certified mail
 - There was no public comment
 - The character of the neighborhood will not be changed
 - Site visits were made
 - Variance request is minimal
 - Conservation Easement supersedes Zoning Board
 - Applicant to supply copy of approval from the DLC

Chairman Simoncini made a motion to accept the findings. Second by Rich Humphries. All in favor motion carried.

Chairman Simoncini made a motion to grant the variance for the setback (conditionally) with the DLC approval. It was stated that if any building permits are issued and the DLC hasn't approved the project, the permits will be returned.

(2nd) applicant Vlack still wasn't in attendance.

ADJOURNMENT: With no further business Chairman Simoncini made a motion to close the meeting at a 6:55 PM

Respectfully submitted,
Betty Harte/Secretary
Town of Gallatin/ZBA

(As we were leaving the parking lot-Mr. Vlack pulled in and stated that he was stuck in traffic and had left a msg).

It was decided to reschedule his Public hearing for June 21, 2016