

**MINUTES OF PUBLIC HEARING
ZBA/TOWN OF GALLATIN
SEPTEMBER 29, 2015**

PRESENT: Fred Simoncini-Chairman Richard Humphries- V. Chairman
Mike Kris-Member Davis Simmons-Member
Betty Harte-Secretary

Applicant –Mr. David Clark

Public: Mr. & Mrs. Kemp

CALL TO ORDER: Chairman Simoncini called the meeting to order @ 6:40 PM.

MINUTES: Chairman Simoncini made a motion to accept the minutes from the September 15, 2015 Public Meeting. Second by Mike Kriz. All in favor-motion carried.

OLD BUSINESS:

Chairman Simoncini made a motion to open the Public Hearing, second by Davis Simmons. All in favor, motion carried.

Chairman Simoncini reviewed the application and supporting documents. Applicant wants to expand a non-conforming building more than 50%. Chairman Simoncini asked applicant if the shed could be placed anywhere else on the property. Applicant stated that if it were moved to another location he would still need a side yard variance.

Mr. Kemp asked to be acknowledged. He asked applicant what would the outside look like as is would be facing their residence. Mr. Clark stated it would be the same as what is there now.

Mr. Kemp then read a statement (attached) stating the objections of Mr. Clark's addition and also other objections they (the Kemps) had with Clark property. Discussion continued between the 2 neighboring parties. The Kemps would like the Clark property "cleaned up". Chairman Simoncini advised Mr. Clark that if a satisfactory resolution could be reached between the 2 neighbors, Mr. Clark could re apply for a variance. Member Davis Simmons stated that the ZBA do not have any ability to police what is on a property.

Chairman Simoncini stated again that the board's purpose is to grant or not to grant a variance based on the information it receives.

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

The findings are:

- Site visits were made
- All neighbors were notified by certified mail
- There was negative public comment
- There character of the neighborhood would change

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

Chairman Simoncini made a motion **not** to grant the variance, second by Mike Kriz. Roll call vote. All in favor, motion carried.

ADJOURNMENT: With no further business Chairman Simoncini made a motion to close the meeting at a 7:10 PM

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