

MINUTES OF PUBLIC HEARING
ZBA/TOWN OF GALLATIN
November 13, 2012

PRESENT: Fred Simoncini—Chairman Richard Humphries- V.Chairman
Mike Kriz-Member Davis Simmons-Member
Betty Harte-secretary Steve Sorman-Member

Applicant/ Mr. & Mrs. Hotaling
Public: per attached

CALL TO ORDER: Chairman Simoncini called the meeting to order at 6:30 PM.

MINUTES: Chairman Simoncini made a motion to accept the minutes from the October 23, 2012 meeting, second by Richard Humphries. All in favor, motion carried.

Chairman Simoncini made a motion to open the Public Hearing. Previously the Chairman had requested a copy of the deed and survey from the applicant. Mrs. Hotaling gave us a copy of both. Discussion was held regarding the placement of structures on the property. It was noted that the cat kennel is approximately 50 ft. from the property line. The property is 14.3 acres but very narrow. On no side was the setback met.

Chairman Simoncini acknowledged adjoining neighbor (Mrs. Rieper). She asked since (cat) kennel was already there will the board approve the request? Also would the kennel be approved? She was adamant about not wanting to listen to barking dogs. Chairman Simoncini advised that the ZBA is only here to grant a variance for the setback not approval for the kennel. The applicant would then have to go to the Planning Board. With no further comment, Chairman Simoncini made a motion to close the Public Hearing, second by Mike Kriz. Roll call vote, all in favor motion carried.

The findings were:

- All the surrounding neighbors were notified by certified mail
- Site visit was made
- Public comment was negative
- No comment from the Planning Board
- The setback isn't met in any direction
- The cat kennel already exists

Chairman Simoncini made a motion to accept the findings as read. Second by Rich Humphries. Roll call vote. All in favor. Motion carried. Chairman Simoncini acknowledged Mrs. Hotaling. She stated "if barking is the main concern what about dogs that don't bark." He stated again that we are here about the setback.

Chairman Simoncini made a motion to deny the variance. Second by Mike Kriz. Roll call vote. All in favor, motion carried.

NEW BUSINESS: None

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