



## Town of Burlington

### ZONING BOARD OF APPEALS

Minutes of the Regularly Scheduled Meeting of Tuesday, October 19, 2010.

APPROVED: \_\_\_\_\_

DATE: November 16, 2010

#### I.

##### A. **Attendance, Call to Order:**

Greg Szydlo called the regular meeting to order at 7:32PM. In attendance were Greg Szydlo, Peter Perkins, Clayton Aiudi, Cheryl Byrne, Chris Argiropoulos, Rob Susdorff and Cheryl Byrne. Allison Yudelson, recording secretary.

The entire proceedings were recorded on audio tape and are available in the Town Hall.

##### B. **Act on Meeting Minutes:**

A motion was made by Perkins and seconded by Aiudi to approve the minutes from the August 17, 2010 regular meeting as submitted. ALL IN FAVOR.

##### C. **General Communications:**

- a. ZBA budget.
- b. PZC minutes from September 23, 2010 regular meeting.
- c. PZC minutes from August 26, 2010 regular meeting.
- d. Letter dated October 11<sup>th</sup> from Jim Thompson regarding App 2010-486  
Motion Perkins, second Aiudi to amend agenda item II.b. ALL IN FAVOR  
Motion Perkins, second Aiudi to add agenda item II f. Application 2010-488. ALL IN FAVOR.

#### II. **Public Hearing:**

- A. **Application 2010-483**-Application for variance from Section IV.B.5 of the Zoning Regulations of the Town of Burlington for proposed addition on property known as 22 Case Road submitted by Matthew Alexander.  
Public hearing opened at 7:40pm. (Perkins/Aiudi)  
Commissioners present: Szydlo, Perkins, Susdorff, Aiudi and Argiropoulos  
Rear yard variance 45 feet to 14 feet  
Hardship: location of the well & septic  
Public hearing closed at 7:50pm (Aiudi/Perkins)  
Motion Perkins, second Argiropoulos to grant a variance for Application 483-2010 variance from Section IV.B.5 (rear yard setback) of the Zoning Regulations of the Town of Burlington, a variance of 31 feet, locating a house addition to be 14 feet from the rear property line where 45 feet is required on property known as 22 Case Road submitted by Matthew Alexander.



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IN FAVOR, Szydlo, Sussdorff, Perkins, Aiudi and Argiropoulos. OPPOSED, none. ABSTAINED, none. **Variance granted.**

- B. **Application 2010-484**-Application for variance from Section IV.A.5 of the Zoning Regulations of the Town of Burlington, a variance of 24 feet and 11 inches, locating an accessory structure to be 1 inch from the side property line where 25 feet is required and a variance from Section IV.3.g of the Zoning Regulations of the Town of Burlington, a variance of 9 feet 11 inches where 10 feet is required on property known as 468 Spielman Highway submitted by James Burkhart.  
Public hearing opened at 7:51pm (Aiudi/Perkins)  
Commissioners present: Szydlo, Perkins, Sussdorff, Aiudi, Byrne.  
Side yard variance 25 feet to 1 inch.  
Side yard variance 10 feet to 1 inch.  
Hardship: location of the septic & well.  
Public hearing closed at 8:13pm (Perkins/Aiudi)  
Motion Perkins, second Aiudi to grant a variance from Section IV.A.5 (side yard setback) of the Zoning Regulations of the Town of Burlington, a variance of 24 feet and 11 inches, locating an accessory structure to be 1 inch from the side property line where 25 feet is required and a variance from Section IV.3.g of the Zoning Regulations of the Town of Burlington, a variance of 9 feet 11 inches where 10 feet is required on property known as 468 Spielman Highway submitted by James Burkhart.  
IN FAVOR, Sussdorff, Aiudi and Byrne. OPPOSED, Szydlo and Perkins. ABSTAINED, none. **Variance denied without prejudice.**
- C. **Application 2010-485**-Application for variance from Section IV.B.5 of the Zoning Regulations of the Town of Burlington to allow the addition of a garage, enclosed porch and shed on property known as 136 Monce Road, submitted by Kevin Sullivan.  
Public hearing opened at 8:15pm (Perkins/Aiudi)  
Commissioners present: Szydlo, Perkins, Aiudi, Sussdorff, Argiropoulos.  
Side yard variance 15 feet to 8 feet (garage)  
Side yard variance 15 feet to 12 feet 9 inches (enclosed porch)  
Side yard variance 10 feet to 7 feet (shed)  
Public hearing closed at 8:58pm (Perkins/Aiudi)  
Motion Perkins, second Sussdorff to grant a variance from Section IV.B.5 of the Zoning Regulations of the Town of Burlington, a 7 foot variance, locating a garage to be 8 feet from the southern side property line where 15 feet is required on property known as 136 Monce Road submitted by Kevin Sullivan.  
IN FAVOR, none. OPPOSED, Szydlo, Perkins, Sussdorff, Aiudi and Argiropoulos. ABSTAINED, none. **Variance denied without prejudice.**  
Motion Aiudi, second Argiropoulos to grant a variance from Section IV.B.5 of the Zoning Regulations of the Town of Burlington, a 2 foot 3 inch variance, locating an enclosed porch to be located 12 feet 9 inches from the northern side property line where 15 feet is required on property known as 136 Monce Road submitted by Kevin Sullivan.



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IN FAVOR, none. OPPOSED, Szydlo Perkins, Sussdorff, Aiudi and Argiropoulos. ABSTAINED, none. **Variance denied.**

Motion Perkins, second Aiudi to grant a variance from Section IV.b5 of the Zoning Regulations of the Town of Burlington, a 3 foot variance, locating a shed to be 7 feet from the northern side property line where 10 feet is required, on property known as 136 Monce Road submitted by Kevin Sullivan.

IN FAVOR, Szydlo, Perkins, Sussdorff, Aiudi and Argiropoulos. OPPOSED, none. ABSTAINED, none. **Variance granted.**

**Application 2010-486**-Application for variance from Section 11.C of the Zoning Regulations of the Town of Burlington to request a buildable area and buildable land for a lot line revision on property known as Lot 36 Nelson Drive and Lot 48 Woodcreek Road, submitted by Joseph Salvatore. Continued to November 16<sup>th</sup> meeting.

- E. **Application 2010-487**-Application for variance from Section III.D.2, Section III.D.3 and Section IV.A.3 of the Zoning Regulations of the Town of Burlington to permit the housing of livestock in an existing agricultural building within 100 feet of a lot line on property known as 206 Johnnycake Mountain Road submitted by Johnnycake Mountain Associates. Continued to November 16<sup>th</sup> meeting.

- F. **Application 2010-488**-Application for variance from Section IV.A.5 of the Zoning Regulations of the Town of Burlington a variance of 13 feet, locating a carport structure to be 12 feet from the side property line where 25 feet is required on property known as 87 Belden Road submitted by Stephen Morris. Continued to November 16<sup>th</sup> meeting.

### III. **Unfinished Business**

- A. None.

### IV. **New Business:**

- A. None.

### V. **Adjourn:**

A motion was made by Perkins and seconded by Argiropoulos to adjourn at 10:00PM. ALL IN FAVOR.