

**TOWN OF GRANBY ZONING BOARD OF APPEALS**

**Meeting Minutes**

June 28, 2011

AGENDA : Hofmann Public Hearing  
Regular Monthly Meeting

ROLL CALL : Peter Holmes present - Chairman  
Paul Hartle present  
Peter LeoGrande present  
Linda Fadden present  
Sam Trepasso absent

ALSO PRESENT : Earl Hofmann and Charles Gedney.

Chairman Holmes called the meeting to order at 7:06 pm and opened the Public Hearing for the Hofmann Area Variance request.

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**PUBLIC HEARING**

Earl Hofmann – 188 German-Dale Drive, Fulton  
Tax Map # 269.00-01-10.43

Earl Hofmann has presented an application requesting a side yard setback variance for a 16' x 28' garage to remain at 16.28' from the property line. The garage was built one year ago and a building permit had been obtained, along with a final Certificate of Completion. Mr. Hofmann explained that when the lots had been developed the electrical meter boxes were to be at the property lines, but this one wasn't. The structure had been believed to be built in compliance at 20' from the property line. Charles Gedney, a neighbor, stated for the record that he was in favor of the variance and that the 4' discrepancy wasn't an issue. With no further public or Board comments the Hearing is closed at 7:11 pm by Chairman Peter Holmes.

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**REGULAR MONTHLY MEETING**

The Regular Monthly meeting was called to order at 7:11 pm.

HOFFMAN – The Board Members discussed the application and were in agreement that a *motion to approve a side yard setback variance of 20% as was requested by applicant Earl Hofmann for the placement of a 16' x 28' garage built at 188 German-Dale Drive, in seeking relief of Section IV, Subsection B of the Granby Zoning Ordinance, the motion is moved by Chairman Holmes and seconded by Member Linda Fadden, all were in favor by unanimous vote with no discussion, motion carried.*

*Vote:*

*Peter Holmes, Chairman Aye*

*Linda Fadden, Member Aye*

*Paul Hartle, Member Aye*

*Peter LeoGrande, Member Aye*

*4 Ayes and 0 Nays – motion APPROVED – Resolution 2011-02*

**NEW BUSINESS:**

GILMORE – The Zoning Board Members received copies of a letter from Attorney Bruce Clark, representing William Gilmore, in regards to the use of his property at 169 Russell Road. Mr. Gilmore is appealing the decision of the ZEO dated April 28, 2011 and a copy of the determination has been attached. The Board Members reviewed the letter and some discussion occurs regarding what exactly is being appealed due to the length of the letter and number of points detailed. The secretary is directed to contact the attorney and request more information as well as notify him of the available meeting dates. Board Members Hartle and LeoGrande are neighbors to the Gilmore property and have been involved with the litigation involving this property over the past 3+ years. Member Fadden is unaware of the situations that have occurred and is briefly informed. The Gilmore's constructed a motocross track on a large (50%) portion of their property without Codes Office involvement and have had environmental issues with many of the neighbors. Extreme dust clouds and excessive noise for prolonged periods of time has initiated calls to DEC and State Police Officers on several occasions. The controversy is still in the Town Court and their last direction to the Gilmore's was to contact the Planning Board or the ZBA. Chairman Holmes directs secretary to notify the court complainants as well as the neighbors when preparing the Public Hearing notifications. Granby Town Attorney Scott Chatfield is also to be notified of the Hearing.

The Members received some information regarding training offered in August at Onondaga Community College sponsored by The Association of Towns. The secretary will research other available training.

A **motion** to waive the reading of meeting minutes for April 1, 2011 was **moved** by Member Peter LeoGrande and seconded by Chairman Peter Holmes, all were in favor, **motion carried**.

With no other business before the Board a **motion** to adjourn at 8:13 pm was **moved** by Chairman Peter Holmes and seconded by Member Linda Fadden, all were in favor, **motion carried**.

Respectfully submitted by:



Lisa Somers  
ZBA secretary