

Salvatore Guglielmino
3744 Kime Beach Rd
Tax Map #18-1-23
July 13, 2015

Approved as written, August 17, 2015

The meeting was called to order at 6:30 pm by Chairman Barto.

Ford Knight motioned with a second from Julie Thompson to approve the minutes from the June 30, 2015 meeting as corrected. Vote 5/0

Mike Cleere motioned with a second from Ford Knight to open the public hearing at 6:31 pm. Vote 5/0

Neighbor, Mr. Happ, spoke first. He mentioned that he never saw the final plan. Mr. Guglielmino handed out the plan for the hoist without the 4' catwalk. Mr. Happ inquired about repairs to hoist. Bob Manion, contractor, said you can get a barge in and also come in by land. Mr. Happ mentioned that other dock builders did not recognize that they needed a permit. Mrs. Happ added the importance of keeping docks in the zoning, but that the 15ft setback is a lot for the smaller lots.

At this time, the public hearing was briefly interrupted to do a Roll Call Attendance, for the record, as follows:

Pete Keefer	Present
Ford Knight	Present
Julie Thompson	Present
Mike Cleere	Present
Steve Barto	Present

Mr. Guglielmino handed out a property map. Mr. Guglielmino explained that the South setback shows 14' on his plan, but it is actually 17' because the Naegele's hoist on the South side is 3' onto his property. Chairman Barto was glad that was clarified. He would like the setback to be 10' and share 20' from their piling to the Happ's piling. Mike Cleere noted that he is asking for a 5' variance. Mr. Guglielmino said his hoist will be angled South, and the Happ's is angled North, measured with a laser. Mike Cleere asked if the 13' width was standard, it is.

Mr. Guglielmino passed out the design approved by the Army Corps of Engineers, which is part of the application file. Chairman Barto noted in the Zoning Code the height restriction is 18' from the mean high watermark to the highest point of the structure.. Mr. Guglielmino said that his is 15'.

Mr. Guglielmino passed out photos of other docks in the area, which became part of the application file.

Ford Knight inquired about the distance between the hoist and the Happs to be 4'. Mr. Guglielmino said it is 10'. They go in opposite directions. Mr. Happ said there is 33' from his closest piling and Mr. Guglielmino. Ford Knight asked for clarification on the gap and it was noted that it is 20'. Mr. Guglielmino said he is looking to have a dock and hoist similar to the neighborhood.

Ford Knight motioned with a second by Mike Cleere to close the public hearing at 6:57 pm. Vote 5/0

Ford Knight motioned with a second from Julie Thompson to discuss and consider the application. Vote 5/0

Mr. Happ would have liked it done differently from the start, but is ok without the 4' catwalk. Chairman Barto wants the hoist not more than 13' and inquired about a roof overhang. Bob Manion said there would be a 1' overhang. Chairman Barto didn't think one was needed. Mr. Happ added that the overhang doesn't bother him. Chairman Barto noted that a foot is not much, but it could alter the view of the lake. Pete Keefer added that the overhang protects the boat, and it would look strange without one. Mr. Guglielmino said the Army Corps of Engineers was concerned with having enough navigational space. Mike Cleere doesn't see any issues as long as the neighbors feel it is adequate, referring to the photos, it is consistent with the area. Concerning the view, Mr. Happ noted it is 16 steps up, so the view is over top of the hoist. Mrs. Guglielmino agreed.

Mr. Guglielmino said the builders were not aware a permit from the Town was needed. It was approved by the Army Corps of Engineers. Bob Manion added that it is impossible to put a dock and hoist according to code on a 50' lot. There is no easy answer.

Criteria for an Area Variance

1. Will there be an undesirable change in the character of the neighborhood or a detriment to the nearby properties?

All Zoning Board of Appeals members in attendance said no.

2. Can the applicant achieve the benefit by some method, feasible for the applicant to pursue, other than an area variance?

All Zoning Board of Appeals members in attendance said no.

3. Is the area variance requested substantial?

Zoning Board of Appeals members Steve Barto and Pete Keefer said yes, Ford Knight, Julie Thompson and Mike Cleere said no.

4. Will the variance have an adverse affect on the physical and environmental condition of the neighborhood?

All Zoning Board of Appeals members in attendance said no.

5. Is this a self-created difficulty?

All Zoning Board of Appeals members in attendance said yes, mentioning the placement of the dock.

For the record, Chairman Barto asked Mr. Happ if he was in agreement, if approved, and he said yes.

Pete Keefer motioned with a second by Mike Cleere to act on the application. Chairman Barto inquired about contingencies. If approved the hoist may be no more than 14', 13' from dock piling to boat hoist piling, in addition to a 1' roof overhang, which would leave a 20' span from north to south. A yes vote means the Area Variance is granted, and no means the Area Variance is turned down.

Roll Call Vote:

Pete Keefer	Yes
Ford Knight	Yes
Julie Thompson	Yes
Mike Cleere	Yes
Steve Barto	Yes

The application to construct the boat hoist has been granted. The hoist may be no more than 14', 13' from dock piling to boat hoist piling, in addition to a 1' roof overhang.

Ford Knight motioned with a second by Julie Thompson to approve the minutes from the June 30, 2015 meeting as corrected. Vote: 5/0

Chairman Barto set the date for the next hearing for August 17, 2015 at 6:30 pm. for David Locke.

Mike Cleere motioned to adjourn with a second from Julie Thompson at 7:34 pm. Vote 5/0

Respectively Submitted,

Susan Hensel
ZBA Clerk