

**TOWN OF LIBERTY
ZONING BOARD MINUTES
NOVEMBER 17, 2009**

MEMBERS PRESENT:

Thomas Sprague
Don Nichols
George Pellam
Peter Belgard
Gene Burns, Alternate

ABSENT:

Tracy Merklin
Walter Garigliano, Town Attorney

ALSO PRESENT:

Mark Van Etten, CEO

CHAIRMAN SPRAGUE CALLED THE MEETING TO ORDER AT 7:00 PM.

Darlene Shocker
Area Variance
3 Walnut Mountain Road
SBL 36.-1-5
Zone: RH # Z2009-0002

Darlene Shocker appeared for this project. Chairman Sprague asked if everyone had a chance to look at the property in question.

Code Enforcement Officer, Mark Van Etten stated that he would like to speak to the Board and explain that the reason this came to the Zoning Board for an area variance is that he was driving by the property and saw a single-wall pipe chimney coming out of a window of the garage in question. After returning to the office to proceed with issuing a violation for the woodstove, he discovered that the owners had not obtained a building permit for the garage. After issuing the violation for building without a permit, and the owners had come in to obtain a building permit, it has determined that the owners did not know they needed a building permit when they installed the garage on their property and the dealer where they purchased the garage did not know about the building permit requirement either. Mark also stated that in the owners favor, they keep the property and buildings well-maintained. He said the issue at this meeting was that according to the setback requirements in the Town of Liberty Code, there was not room enough to have a garage.

The Board members had short discussion with Darlene Shocker confirming that she did not know she needed a building permit or that there would be an issue with the setbacks. The Board further discussed the issue and it was determined that there are also many other properties in the neighborhood which are similar in appearance. The Board will proceed to a public hearing on this matter.

A MOTION WAS MADE BY DON NICHOLS AND SECONDED BY GEORGE PELLAM, TO SCHEDULE A PUBLIC HEARING ON DECEMBER 15, 2009. ALL IN FAVOR. APPROVED.

ON A MOTION BY DON NICHOLS, SECONDED BY GEORGE PELLAM, THE MEETING WAS ADJOURNED AT 7:25 PM.

Respectfully submitted,
Nancy Saucier, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Zoning Board from a meeting held on November 17, 2009 are not to be construed as the final official minutes until so approved. _____ Approved as read