

Town of Milton Zoning Board of Appeals

March 25, 2010

Attendance: Mary Lou Festa (Chair), Jim Cook (alternate), Kim Weaver, Brian Companion, Fred Harris, Ken Buhrmaster, Martin Pozefsky (attorney), Wayne Howe (zoning), Sue Talmadge (secretary).

The meeting was opened with the Pledge to the Flag.

Buhrmaster made a motion to approve the 2/25/10 minutes. Weaver made a second to the motion. All members voted in favor.

Mill Creek Group – variance extension request – Geyser Road

Tom Boghosian explained the variance has been extended each year from 2005. The property is being marketed at this time, explaining they are committed to the original variance conditions of walks, lights and etc.

The property is located between the mini golf and the fire station.

Howe explained a variance was approved for a front setback of 10 feet, a side setback of zero, a rear setback of 25 feet in keeping with the Town Center District. The variance was granted due to the shape of the parcel and to be in compliance with the TC.

Public comments were allowed.

Dave Abels asked questions.

Boghosian explained they are marketing the building as office/medical.

Weaver made a motion to approve the variance extension for one year to 4/28/11 with the same conditions as the original approval.

Companion made a second to the motion. All members voted in favor.

Fleming – 84 Greenfield Avenue – area variances.

Dan Fleming explained he had obtained a building permit to build a single family home on the property. Ted Serbalik of the Saratoga county DPW has produced a deed that shows the county owns a portion of the property. It is a 10 ft by 100 ft strip of land along the side property line. The survey map has been updated to reflect the ownership of the county property.

A title search was done back to 1962 – the property was transferred six times over the years. The wording in the county deed describes it as an easement. It was a surprise that it was a deeded piece of property.

Howe explained as soon as the county came forward with the deed the project was stopped with a Stop Work Order.

A variance is needed for the acreage which has been reduced to less than ½ acre required – a .025 variance is needed for the density. Also a side setback variance of 15 feet is needed to allow 5 feet to the county property.

Fleming explained the footings and foundation are in place.

A public hearing was scheduled for April 22nd at 7:00 PM

There was no other business. Weaver made a motion to adjourn. Buhrmaster made a second. All members were in agreement.