



Monday, December 30, 2024, 7PM - ZBA Meeting Minutes

Brant Town Hall

I. Call to Order:

Chairman Broughton, noting a quorum was present, called the meeting to order at 7:00pm.

II. Attendance Roll Call:

All present.

III. Approval of Previous Meeting Minutes:

Previous meeting held was on November 18, 2024. A motion to approve the November 18, 2024 minutes as presented was made by Frank Broughton and seconded by Christopher Czech. A roll call vote was called, all were in favor, motion carried 5-0.

IV. Reading of Open Hearing Public Notice:

Case # 2024-05 - 1078 Milestrip Rd - Area Variances: James Stearns, SBL 283.00-2-11

The Open Hearing Public Notice was read by Secretary Barbara J Daniel.

V. Motion to Open Public Hearing:

A motion to open the Public Hearing was made by Christopher Czech and seconded by Richard Vespa. A roll call vote was called, all were in favor, motion carried 5-0. The public hearing was opened at 7:05pm.

The Planning Board recommendation letter was read by Secretary Barbara J Daniel. A complete case package with relevant information for the case was presented to the board, this included the planning board recommendation letter that the case be approved. All paperwork was in order. The applicant James Stearns presented his case addressing the variance requests. The board asked some questions to the applicant and they were answered. A letter from the Town of Brant CEO was read stating that the proposed construction of a single family house is in character with the neighborhood and should not have an adverse impact on the area. No other interested parties attended or sent in letters of comment.

VI. Motion to Close Public Hearing:

A motion to close the Public Hearing was made by Paul Cesana and seconded by Richard Vespa. A roll call vote was called, all were in favor, motion carried 5-0. The public hearing was closed at 7:21pm.

VII. Deliberation & Decision:

SEQR Determination: A motion was made by Frank Broughton and seconded by Richard Vespa acknowledging this case is a Type II SEQR set back variance, no other action is required. A roll call vote was called, all were in favor, motion carried 5-0.

After discussing the case, and working through the required 5 considerations, on occasion asking for input from the applicant, a motion was made by Frank Broughton to approve the application with the condition that no future addition extending the footprint of the new home build be allowed, nor having a larger than 12' x 12' accessory building on the property. The motion was seconded by Richard Vespa. A roll call vote was called: Frank Broughton - Aye, Richard Vespa - Aye, Christopher Czech - Aye, Paul Cesana - No, Kathy Vespa - Aye. Motion Carried 4-1. The application was approved.

The next procedures in the process was explained to the Applicant by Chairman Broughton.

VIII. New Business

Paul Cesana brought up some concerns as to what the planning board is to be reviewing and using for their advisory letter they send to the ZBA.

Chairman Broughton responded that the code states they are to advise of approval or denial of the application. To do that they need to consider the same considerations as the ZBA (see: NY TOWN LAW CHAPTER 62- Article 16- SECTION 267-B part 3).

He then explained Brant Code states in § 161-60 Procedure, the following: At least 30 days before the date of the hearing on an application or appeal to the Board of Appeals, the Secretary of said Board shall transmit to the Planning Board a copy of this notice of the aforesaid hearing and **shall request that the Planning Board submit to the Board of Appeals its opinion on said application** or appeal, and the Planning Board **shall submit a report of such advisory opinion** prior to the date of said hearing. **Failure** to submit such report shall constitute **approval of said application** or appeal by the Planning Board.

IX. Motion to Close the Meeting

A motion to close the meeting was made by Frank Broughton and seconded by Paul Cesana. A verbal vote was called and all were in favor, motion carried 5-0. Meeting was closed at 8:00pm.

Respectfully Submitted,
Barbara J Daniel - Secretary