

Gilsum Zoning Board of Adjustments

Approved Minutes

April 2, 2023, 4:00 pm Gilsum Public Library

Members of Gilsum Zoning Board Present: Bruce Murphy, Eric Zablowky, Heidi Bukoski, Clem Lounder, Jane Wing

Chair Murphy called the meeting to order at 4:11 pm.

Purpose for the Meeting

The purpose for this GZBA meeting was to further review and discuss the new documentation submitted by the Diceys relating to their appeal of the decision from the Gilsum Zoning Board to deny their Application for a Variance, as well as additional information discovered in our research.

First Order of Business

The first order of business was to determine positions of Board Members; positions are as follows:

Bruce Murphy, Chair
Eric Zablowky, Vice Chair
Heidi Bukoski, Secretary
Clem Lounder, Appointed Member
Jane Wing, Appointed Member

Minutes from the March 19, 2023, meeting were reviewed. Noted changes were: add Clem Lounder's term end of 2026. Change wording to '....were prepared for....'. Heidi made a motion to accept the March 19, 2023, minutes with the discussed amendments, Eric seconded; all in favor, none opposed.

Review and Discussion

An in-depth review and discussion ensued of the Web Soil Surveys submitted by the Diceys. Heidi, having worked with Web Soil Surveys, explained how this type of survey is done. The United States Department of Agriculture Natural Resources Conservation Service has an on-line tool that will provide soil type data for a selected area. It was

noted that this type of survey is broad and is not as specific as an on-site inspection/drilling.

Current photos of the subject property and neighboring properties were taken and reviewed. Photos show evidence of all properties having wet areas and not being unique to the subject property.

To confirm the Board had a complete understanding of the history of the property, Bruce conducted a deed research. Tracing the deed back as far as possible, to 1901, it was determined that 217 and 218 Belvedere Road have always been two separate parcels of land, at no time has 218 Belvedere Road had a residential building on it. The current building, not meeting the current set-back regulations, has been grandfathered in as an existing structure, due to being in existence prior to the current zoning regulations

It was noted that while the current structure does not meet zoning to be a residential building, the Diceys currently have adequate use of the building, therefore they do not face a hardship of not having use of the building in it's current state.

Chair Murphy asked for a motion to hear the Dicey's appeal, Heidi made a motion to hear the appeal, Eric seconded, all in favor, none opposed.

The sole act of granting a hearing of the appeal does not commit the Board to either overturning or changing it's prior decision.

The Public Hearing is set for April 20, 2023, 7:00 pm at the Gilsum Public Library.

Bruce confirmed with the Town Treasurer the Dicey's have a credit of \$168.45, which is enough to cover the required mailing fees for the appeal hearing.

Bruce will list an ad for the appeal hearing in the newspaper and will provide Jane the information for the mailings.

It was noted again the deadline for the Board's decision for the appeal is May 11.

The Board will meet again on April 23, 2023, 4:00 pm at the Gilsum Public Library for a final review and discussion of the Diceys' appeal.

Chairman Murphy made a motion to adjourn meeting, Eric seconded, all in favor, none opposed.

Chair Murphy adjourned the meeting at 5:17 pm.

Respectfully Submitted -

Jane Wing, Secretary