

TOWN OF NEWSTEAD - ZONING BOARD OF APPEALS  
MINUTES of July 22, 2003

Present:       Corky Keppler  
                  Dave Wakeman  
                  Bill Kaufman  
                  Scott Chaffee  
                  Ike Cummings  
                  Rebecca Baker, Zoning Officer  
                  Christine Falkowski, Recording Secretary

Corky called the meeting to order at 7:30 PM and led the Pledge of Allegiance to the American flag.

Public Hearing – Area Variance –Keller Road

The public hearing was opened to hear comments for or against the area variance request of 84' frontage for creation of a 90.6-acre building lot on Keller Road owned by Michael Schmidt. Code requires 150'. Steve and Annette Simmermaker of Utley Road were present, along with Danny Cummings and Judy Beyers. Michael Schmidt's new plan was reviewed where he will keep an 18' strip at Clarence Center Road connected to his 81.15 acre parcel. This strip crosses the bike path, where he will give Dawydko's access for farming. A letter was received from Roger and Suzanne Hollands of 10971 Keller Road (closest neighbor to the north) supporting the request. A letter from the DOT approving the driveway at Keller Road was considered. A memo from the Planning Board dated July 21<sup>st</sup> recommended variance approval. Safety concerns with the street address being on Keller vs. Clarence Center were expressed.

Due to the bike path division of the property not being a self-created hardship, Ike motioned to approve the variance with the condition that only one home be built on the north side of the bike path, seconded by Bill and all approved. Dave and Scott expressed their reservations due to previous "flaglot" denials. They requested a memo be sent to the Planning Board noting the approval condition.

The next Zoning Board meeting will be held on Tuesday, August 19, 2003.

Bill made a motion to close the meeting at 8:30 PM, seconded by Scott and all approved.

Respectfully submitted,  
Christine B. Falkowski,  
Recording Secretary