

TOWN OF NEWSTEAD  
ZONING BOARD OF APPEALS  
MINUTES of October 30, 2001

Present:       Corky Keppler  
                  Bill Kaufman  
                  Ike Cummings  
                  Scott Chaffee  
                  Don Folger, Code Enforcement Officer  
                  Dawn Izydorczak, Recording Secretary

The meeting was called to order at 7:00 pm to discuss the request by Carol Batra and Gertrude Torres to house 2 horses at 6395 Utley Rd on a 1.80 acre lot.

Attendance as above, including Donald Holmes and Michael Rushok.

Each of the Board members present have visited the property in question since the public hearing on October 11<sup>th</sup>. Corky addressed those who were present for their comments.

Donald Holmes of 5070 Crittenden Rd spoke against allowing the variance. He stated that the Town's ordinances are created to protect residents and variances to those ordinances should not be granted easily. There is much thought and planning that goes into the decisions when these ordinances are passed. As a neighboring property owner to Mrs. Miller on Stage Road who has a similar request coming before the Board in November, he asked the Board not to set a precedent by allowing the Utley Road request to pass.

Michael Rushok of 5144 Crittenden Road also spoke against allowing the Utley Road variance. He is also a neighbor of Mrs. Miller on Stage Rd and does not want a precedent set to allow horses on small lots. He stated that there are alternatives for those who want horses and he is concerned with the disposal of the manure, the potential for odors and the problem of horse flies.

The Board discussed the ordinance as it is currently worded and expressed concern over the fact that only horses are addressed in the ordinance. They would like to see additional farm type animals and wildlife added to the wording in the ordinance. They see the potential for additional problems in the future with other animals. Corky requested that a letter be sent to the Town Board requesting a revision to the current ordinance to specify other animals in addition to horses and to specify specific numbers of animals allowable per acre.

There are concerns by all of the Board members in setting a precedent with this issue and no hardship exists in this case.

Bill motioned to deny the request based on no economic loss to the owner and no hardship was proven. Scott seconded and all approved.

The meeting was closed at 7:15pm by a motion from Ike, seconded by Clark and all approved.

Respectfully submitted by,  
Dawn Izydorczak,  
Recording Secretary