

Town of Bennington Zoning Board of Appeals
October 12, 2021

Chairman Best called the meeting to order at 7 p.m. with the following in attendance: Chairman David Best, Members Al Files, Rick Jensen and Tim Pyszcinski, Acting Secretary Ellen Grant, Zoning Officer Jenna Marley as well as the applicant and one guest.

Use Variance #5-2021 - William Staerr, 855 Getman Road, Alden NY, requesting a variance to construct a pole barn on vacant property. Violation of Zoning Law Section 21.1, constructing an accessory building with no principal use building on site.

Motion by Pyszcinski, second by Files to open the public hearing on the above application at 7:03 p.m. All ayes, carried. ZO Marley shared the listing of neighboring property owners as well as a letter from Pearl Gunn, 854 Getman stating no objection to the project.

Applicant stated that he desires to consolidate belongings of the family that are at various locations throughout the state and have them secure and nearby (lives in Attica.) The building is a 40'x24' pole barn that he will construct himself, and it will have electricity in it and just man doors, no overhead doors. There is an existing shed. He has owned the property for approx. ten years (prior owners were his father & grandfather.) He was asked if there were any previous variance applications for the project, which he did not believe to be. Files, Best & Pyszcinski visited the site and Jensen had reviewed the aerial map and was familiar with the property. Mr. Staerr is not planning on living on site any time in the future and will not have any ag use, such as tapping trees, etc. He has no foreseeable plans to construct a house on the property. There being no one present with questions or to make a statement on the application, a motion was made and seconded (Files/ Pyszcinski) to close the public hearing. All ayes; carried. Hearing closed at 7:13 p.m.

The Chairman explained to the applicant the process the Board goes through to make a determination on the application. Board members reviewed each of the

criteria for the variance and signed off on each as to their determination. Chairman Best then indicated his written vote on the variance and signed, followed by each of the Board members. All voted to approve. The Zoning Officer told Mr. Staerr that she will complete the paperwork and get the information to the Co. Building Codes Department to begin processing his building permit.

The Zoning Officer also informed the Board that there will be another application to review for November for a property in Highland Glen. Due to Election Day the meeting could be set for the second Tuesday. Tim Pyszczinski will be out of town that week but the other members indicated that they would be available. The Secretary will notify Member Mike George about the need for a meeting on November 9th to see if he would be available. Members discussed storage buildings being built without a residence on the property and potential pitfalls.

The Secretary asked about clarifying the status of our Zoning Law, reviews and the Highland Glens HOA requirements. The ZO said that applicants have to be approved by each entity.

Members reviewed the Meeting minutes. Motion by Best, second by Pyszczinski to approve the June minutes. Motion by Best, seconded by Jensen to approve the July minutes. All ayes; motions carried.

Zoning Officer Marley informed the Board that she will be absent for several months due to maternity leave. She introduced Nicole who is in training and she and Don Roberts from the Zoning Officer will be handling the Bennington work while Jenna is out.

Motion by Jensen, seconded by Files to adjourn. All ayes; meeting adjourned 7:36 p.m.

Ellen Grant, Acting Secretary