

**Town of Danby
Board of Zoning Appeals
Determination and Findings Review Minutes
May 3, 2010**

Members Present:

Al Becker
Allen Wagner
Christine Decker
Gary Bortz

Member Recused:

Nancy Medsker

Others Present:

Town Clerk	Pamela Goddard
Counsel	Guy Krogh
CEO	Susan Beeners
Councilpersons	Leslie Connors, Dan Klein
Web Master	Ted Crane

Call to order:

The member selected by the BZA to chair its April 29 Public Hearings, Al Becker, continued as chairperson. The meeting was called to order at 6:30pm.

Review of Determination:

The BZA reconvened at 6:30pm in order to finalize and approve the finding statements and determinations. Copies of the written determinations of Appeal 01-10, Appeal of the Town of Danby Planning Board regarding Home Occupation at 58 Marsh Road and Appeal 02-10, Appeal of Nancy Medsker regarding Home Occupation at 58 Marsh Road, were distributed and read by the members of the Danby Board of Zoning Appeals.

The only addition was an inclusion of the hours 9am-5pm when classes may be held, as normal working hours and the least disruptive to the neighborhood. There were no other questions, additions, or deletions.

Motion to Approve Determination and Findings:

The Board of Zoning Appeals of the Town of Danby reaffirms its determination of April 29 in the appeal of the Planning Board regarding the Code Enforcement Officer's determination granting permitted use of a customary Home Occupation at 58 Marsh Road, approves the Finding Statement and Decision, and authorizes the Chairman of the BZA to sign and certify the same on behalf of the Board.

Moved by Gary Bortz, second by Christine Decker, the motion passed

Gary Bortz	AYE
Christine Decker	AYE
Alan Wagner	AYE
Allen Becker	AYE

The BZA further reviewed the second Determination and Finding, related to the Medsker Appeal, clarifying the slight differences between the two. There were no other questions, additions, or deletions.

Motion to Approve Determination and Findings:

The Board of Zoning Appeals of the Town of Danby reaffirms its determination of April 29 in the appeal of Nancy

Medsker regarding the Code Enforcement Officer's determination granting permitted use of a customary Home Occupation at 58 Marsh Road, and further confirming that the proposed use and occupation does not require a use variance, approves the Finding Statement and Decision, and authorizes the Chairman of the BZA to sign and certify the same on behalf of the Board.

Moved by Alan Wagner, second by Gary Bortz, the motion passed

Gary Bortz	AYE
Christine Decker	AYE
Alan Wagner	AYE
Allen Becker	AYE

These findings are made public upon the approval and certification of the BZA.

The meeting was adjourned at 6:44pm

Moved by Gary Bortz, second by Alan Wager, carried unanimously.

Pamela S Goddard, BZA Secretary