

**Town of Somers  
Zoning Board of Appeals  
Regular Meeting  
JUNE 14, 2016 – 7:30 P.M.  
Lower Level Conference Room**

**Call to Order**

The meeting was called to order by Chairman Hills at 7:30 P.M.

**Roll Call**

Present: Dean Hills, Doug Stebbins, Susan Peck, Joe Marinaccio

Absent: Len Van Wingerden, B.J. Ferro III

Audience: Dennis Hutton, Sheryl Hutton

**New Business**

**Public Hearing**

**19 Franklin Woods Drive, Dennis M. & Sheryl A. Hutton**

Chairman Hills explained to the Huttons that it takes a minimum of four votes in the affirmative to grant a variance and that since there were only four members of the board in attendance they could postpone their presentation until the July meeting if they wished. The Huttons declined to postpone.

Chairman Hills read two e-mails, one sent from William Heller of 23 Franklin Woods Drive and one sent from Bonnye Pillar of 16 Franklin Woods Drive, both of which were in support of the shed. Mr. Heller is an abutting neighbor and Ms. Pillar is directly across the street.

Chairman Hills read the Public Notice into the record:

#16-002: Dennis M. & Sheryl A. Hutton, 19 Franklin Woods Drive, seeking a variance from Section 214-98 of the Somers Code concerning side yard setback requirement of 25 feet; to construct an 8' x 12' shed (7') seven feet from the property line.

Mr. Hutton gave the presentation. He stated that the shed had already been built and that they didn't realize a permit was required for a shed. He stated that the hardship was due mainly to the steep grade of the property just behind where the shed is located, as well as the location of their pool and patio. He supported their request for a variance from the board with the maps and pictures he provided with the application to point out their hardship.

### **Public Hearing Discussion/Decision**

A motion was made (Stebbins) and seconded (Marinaccio) to approve a request for a variance #16-002: Dennis M. & Sheryl A. Hutton, 19 Franklin Woods Road, seeking a variance from Section 214-98 of the Somers Code concerning side yard setback requirement of 25 feet; to construct an 8' x 12' shed (7') seven feet from the property line due to a hardship resulting from the topographical circumstances of the property.

There was a brief discussion with regard to the granting of variances for larger permanent structures such as a garage versus a smaller non-permanent or temporary or moveable structures such as a shed.

Motion passes unanimously.

### **Unfinished Business**

None

### **Correspondence & Bills**

None

### **Minutes Approval-May 10, 2016**

Page 2, Paragraph 3, Sentence 2 to read: “. . .to the agenda *if* they wished . . .”

It was moved (Marinaccio) and seconded (Stebbins) to approve the minutes as amended.  
Motion passes unanimously.

### **Adjournment**

It was moved (Peck) and seconded (Stebbins) to adjourn the regular meeting of the ZBA at 7:49 P.M. Motion passes unanimously.

Respectfully submitted by,

Dean Hills  
Chairman-Somers Zoning Board of Appeals