**VILLAGE OF VICTORY**

**ZONING BOARD OF APPEALS**

**MONTHLY MEETING MINUTES**

August 24, 2015

6:30 pm

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**PUBLIC HEARING – 6:30PM**

 CASE # 2015-02

 Applicant, D.A, Collins Construction

 David Perry

 269 Ballard Road

 Wilton, NY 12189

 Owner, Brookfield Power

 Lee Talbot

 197 Big Bay Road

 Queensbury, NY 12804

Purpose: *USE VARIANCE in SF-2 and Fish Creek Drainage Overlay District*

 For establishing temporary use of docking site in order to complete work on the Schuylerville Dam.

Chairperson Jaime asked if there was a motion to open the public hearing.

ZBA Member Terrie Wolcott made a motion to open the public hearing with ZBA Member Heather Freebern seconded the motion. Vote: 3-0, all ayes. Public Hearing now open.

Chairperson O’Neill stated this is a public hearing to address a USE variance that is needed. She outlined that work is to be performed on the Schuylerville Dam and therefore a docking site is needed on the east side of Fish Creek. The docking site is a temporary use on lands that border Fish Creek and approximately a 20 acres site.

Chairperson O’Neill asked if there were any comments from either the applicant or owner. There was no public body in attendance.

Having in questions or comments, Chairperson O’Neill asked for a motion to close the Public Hearing.

ZBA Member Wolcott made a motion close the Public Hearing with ZBA Member Heather Freebern seconded the motion. Vote: 3-0, all ayes. Public Hearing Closed.

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Chairperson O’Neill called the regular portion of the Zoning Board of Appeals meeting to order.

Roll Call:

Chairperson Jaime O’Neill – present, Terrie Wolcott-present, Heather Freebern – present and Recording Secretary Maureen Kemmet - present.

Announcements: None

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Approval of Minutes:

* Monthly Meeting – July 20, 2015

ZBA Member Wolcott made a motion to approve the minutes from the monthly meeting on July 20, 2015 with ZBA Member Freebern seconded the motion. Vote: 3-0, all ayes. Passed.

Returning Applicant:

New Application:

**CASE # 2015-02**

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David Perry

269 Ballard Road

Wilton, NY 12189

Owner, Brookfield Power

Lee Talbot

197 Big Bay Road

Queensbury, NY 12804

Purpose: *USE VARIANCE in SF-2 and Fish Creek Drainage Overlay District*

 For establishing temporary use of docking site in order to complete work on the Schuylerville Dam.

Chairperson O’Neill stated that the public hearing was just held and that there were no questions and/or public comments. Mr. Talbot provided proof of the certified mail.

A discussion was held on the types of replanting and vegetation along the bank for restoration. There was a discussion about the seed, mulch and types of grass that could be used but it was stated that typically the application would not replant. ZBA Member Freebern asked about all the gravel that was there. It was stated that it will be covered with topsoil and then hydro seed will be used. It was commented that any trees removed need to be replaced.

Chairperson O’Neill commented that the wording has to be reviewed as to a permanence of the use variance vs. say a temporary request. An approval with the condition could be granted and could also outline the specific clearing access and required maintenance issue. O’Neill stated she would like an update plan for the file.

Mr. Talbot stated that the hydro seed and be placed over snow. There was not exact time frame as to when the upgrades the Dam would be completed.

Both ZBA Members Wolcott and Freebern supported granting with a condition that could outline some items such as type of erosion control, vegetation and planting plan. Any additional renovation work or otherwise would require notification in the future and details on the minimum width available to safely get equipment on or off the docking site would be required.

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After brief discussion, ZBA Member Wolcott made a motion to approve the Use Variance with the following conditions; 1) the ZBA is to obtain a description of the area to be seeded in the form of a planting map to mitigate erosion control 2) restoration of 50’ from the shoreline of Fish Creek will have restoration of the vegetation with grass seed/hydro seed and mulch 3) Brookfield Power will provide the dimension of the most limited area allowing access for future inspections and

maintenance and 4) Brookfield Power will notify the village Code Enforcement Official at all times when work will be scheduled on this site with ZBA Member Freebern seconded the motion. Vote: 3-0, all ayes. Motion Passed.

An official Resolution and Notice of Action will be on file to record this action and will be provided to both the applicant and the owner.

Old Business: None

New Business: None

Open Floor: None

Next Meeting:

The next meeting is scheduled for Monday, September 21, 2015 if necessary.

Adjournment:

**ZBA Member Heather Freebern made a motion to adjourn the meeting with ZBA Member Terrie Wolcott seconded the motion. Vote: 3-0, All Ayes. Meeting Adjourned.**

Respectfully Submitted,

Maureen Lewsey

Maureen Lewsey

ZBA Recording Secretary