

**TOWN OF AMENIA
ZONING BOARD OF APPEALS
WEDNESDAY, JUNE 13, 2007**

PRESENT: Chairman Rudy Eschbach
Leo Blackman
Judy Velletri
Norm Cayea
David Rosenberg

The meeting was called to order by Chairman Eschbach at 7:00 P.M. The roll was called and all were present.

PUBLIC HEARING

JETSON PROPERTIES, LLC FRONT YARD VARIANCE ROUTE 22, AMENIA, NY

The Public Hearing Notice was read.

Ms. Lee Bates represented herself. She explained that she wants to add an 8' overhang over the front of the building. This will protect anyone entering the building as well as the ice cream store standing outside and mainly to beautify the front of the building. There will be matching shingles. It was noted that this building was constructed before 1965. Therefore was constructed pre-zoning for the Town of Amenia. Chairman Eschbach felt this should be a 80' variance. As soon as the variance has been accepted, construction will begin. There was no public comment.

The ZBA went into Executive Session. Norm Cayea felt it would improve the look of the building. Leo Blackman felt there should be something to stop the cars from running into the posts for the overhang. Ms. Bates stated there were cement curbs there. The ZBA went back into regular session.

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| Roll was called: | Chairman Eschbach | yes |
| | Norm Cayea | yes |
| | Judy Velletri | yes |
| | Leo Blackman | yes |
| | David Rosenberg | yes |

Variance was granted with a vote 5-1. OK to issue a building permit.

MOTION TO APPROVE THE MINUTES OF 03/14/07 WITH TWO MINOR TYPOGRAPHICAL ERRORS

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| VOTE TAKEN | Chairman Eschbach | Yes |
| | Judy Velletri | Yes |
| | Norm Cayea | Yes |
| | Leo Blackman | Yes |
| | David Rosenberg | Absent |

Motion carried.

Donald Rosendale spoke to the board. For the past few years he has been fighting a battle with Tamarack Preserve and Nextell cell tower. He feels that Tamarack is operating in violation of the use permit that was granted. In April it went to the U.S. Court of Appeals and was decided in Mr. Rosendale's favor. He wants the ZBA to enforce the regulations. Chairman Eschbach received a clarification from the Michael Hayes, ZBA lawyer, and within the next couple of days Mr. Rosendale's lawyer should receive the same letter. There are forms included that need to be filled out.

MOTION TO CLOSE THE MEETING AT 7:30 P.M. was made by Leo Blackman, seconded by David Rosenberg.

VOTE TAKEN – ALL IN FAVOR

Respectfully submitted,

Susan M. Metcalfe
Zoning Board of Appeals Secretary

The foregoing represents unapproved minutes of the Town of Amenia Zoning Board of Appeals from a meeting held on June 13, 2007 and are not to be construed as the final official minutes until so approved.

_____ Approved as read

_____ Approved with: deletions, corrections and additions