

Town of Day Zoning Board of Appeals Public Hearing – March 7, 2005

Members Present: Kearney Mason - Chairman
Judy Traeger
Ray Ives
Pat Volpe
Kathi Prud'homme

David Avigdor, Attorney

Public Present:	Michael Fennell	Dianne Cox	Linda Reinnemann
	Sally Allen	Jason Allen	David Kaczkowski
	Preston Allen	Mary Ann Johnson	

Proof of notice having been furnished, the Public Hearing regarding Michael Fennell and Margaret Conway, Tax Map #31.16-1-54 was re-opened by Kearney Mason, Chairperson at 7:50pm.

The chairman asked if any public would like to speak regarding this matter.

Michael Fennell addressed the board stating that his neighbor Mr. Kaczkowski has brought to his attention that there is a discrepancy with his survey which may change the setback needed from Abeling Lane. Attorney David Avigdor advised Mr. Fennell that if this is the case, he may need to file a new application looking for another variance for Rear of Front yard setbacks, which the board would have to determine which he would need. Mr. Avigdor also suggested that maybe Mr. Fennell and Mr. Kaczkowski get together and split the cost of having a third survey done.

David Kaczkowski addressed the board with his opposition to the proposed garage. He feels that the garage would be right on his property line being he owns the right of way known as Abeling Lane. Mr. Kaczkowski showed several surveys and deeds showing where the discrepancy is in the length of the Conway-Fennell property. Mr. Kaczkowski also feels that this is a small parcel to be putting up a 18'x20' garage.

Another neighbor – Mr. & Mrs. Sanborn – phoned in their opposition to the proposed garage. The Sanborns feel that the parcels in this neighborhood are too small to be having garages built on them. They are concerned that if the board approves one, others will be likely to follow.

All persons desiring to be heard have been heard, the public hearing was declared closed by the chairman at 8:10pm.