

ZONING BOARD OF APPEALS
TOWN OF STUYVESANT
STUYVESANT, NEW YORK 12173

MINUTES OF DECEMBER 8, 2008

Approved at 9/28/10 meeting

MEMBERS PRESENT:

Mr. William Vick, Chairman
Ms. Margaret Pino
Mr. Sal Costanzo
Mr. William Gumaer

OTHERS PRESENT:

Tal Rappleyea, Town Attorney
Andrew Brick, Attorney for Ed Boll

Chairman Vick called the meeting to order at 7:30 p.m. Chairman Vick explained the special meeting was being held tonight as the regular meeting scheduled for November 25, 2008 was adjourned as there would not be enough members attending to form a quorum.

1. A motion was made by Sal Costanzo and seconded by William Gumaer to accept and approve the minutes of the November 27, 2007 meeting. All members voted in favor.

2. Application for Interpretation of the Zoning Ordinance: Application by Ed Boll, 520 Ridge Road, Stuyvesant, NY states the Stuy Pheasant Farm is a farm operation and agricultural activity pursuant to New York State Law that cannot be unreasonably restricted by the Town's zoning code. Mr. Boll states the proposed use is permitted by right in the Agricultural Zoning District. Chairman Vick read a letter from ZEO, Gerald Ennis indicating the zoning department has declined a permit for the membership club with firearms. Mr. Ennis referred Mr. Boll to the Zoning Board of Appeals for an interpretation of the laws in effect. Mr. Boll's attorney, Andrew Brick provided several documents supporting Mr. Boll's position that his proposed use is a farm operation. The Board proposed adjourning the meeting for a week to give the board members an opportunity to review the documents provided at the meeting.

A motion to adjourn the meeting was made by Sal Costanzo and seconded by Margaret Pino. All members voted in favor. A meeting was scheduled for December 23, 2008 to address Mr. Boll's interpretation request.

Respectfully submitted,

Shirley Narzynski
Secretary to the Board