TOWN OF MILO, NEW YORK

Zoning Board of Appeals
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ORDER OF BUSINESS FOR THE MEETING OF APRIL 23, 2024
TOWN HALL AT 6:00 PM

1. **Call to order by the Chairperson**.

2. **Pledge of allegiance to the Flag of the United States of America**.

3. **Roll call to record attendance of board members.**

    a. The Chairperson shall ask each member to state his/her name for the record.

4. **Open Meetings' Law of the State of New York – Statement:**

    a. The Chairperson shall read the following statement to the Public:

        i. "Welcome to the regularly scheduled meeting of the Zoning Board of Appeals. Let it be acknowledged that the people's right to witness and observe the governmental decision-making process in action is basic to our society. Access to public portions of meetings of public bodies must be protected and maintained. Therefore, the Town of Milo has adopted rules in compliance with the Open Meetings' Law of the State of New York to provide direction concerning the procedures by which public meetings of this public body may be photographed, recorded and broadcast. Written copies of such rules shall be provided upon request, free of charge, to those in attendance at or who seek to attend a meeting."

5. **Communications from the Chairperson, Town Board liaison or Town staff.**

    a. The Chairperson shall ask the Secretary to read the Public Hearing Protocol.

    b. The Secretary shall inform the public of the following:

        i. Any individual present at this Public Hearing is invited to speak before this Board to discuss their opinions about the application under review tonight as expressed in the Public Hearing Protocol. However, the Town of Milo wants it clearly understood that an individual who has submitted written communication to the Town of Milo, which pertains to said application, and speaks at this Public Hearing, rescinds his, her or their right to confidentiality. Lastly, said action will cause the Town of Milo to allow said communication to be fully disclosed and obtained pursuant to a FOIL.

6. **Applications under review.**

    a. Application No.: ZBA-04-23-2024A: An application for two (2) Area Variance submitted by David and Lori

Dahlberg requesting the following area variance(s) to allow a bed and breakfast dwelling at 308 Route 54-East Lake Road (Tax Map ID No.: 73.63-1-4): (1) Allow a minimum lot area of 0.6 acres; and (2) allow parking spaces at the front yard. This lot is located within the Lakefront Residential zoning district.

i. The Secretary asks that each member of the Zoning Board of Appeals to review the Code Enforcement Officer's letter that details the requested area variances and the facts of this application. Furthermore, this letter prescribes the minimum conditions of approval requested by the Code Enforcement Officer to ensure compliance with the law.

ii. The Chairperson shall ask the applicant to address the board and provide a summary of the proposed application, if necessary. The Board members are free to ask questions to the applicant as it pertains to this application.

iii. Public Hearing.

1. The Chairperson shall open the meeting to conduct a Public Hearing and invite the public to offer their input on this application.

2. The Chairperson shall close the Public Hearing. *(Note: No motion is necessary to close a public hearing.)*

iv. Resolution #ZBA_2024-003 – SEQRA

1. The Chairperson shall ask the members of this Board if they have any objections to this application.

a. If objections received, the Secretary shall inform the applicant of such objections and will list such objections for their review; or

b. If no objections are received, the Secretary shall inform the Planning Board of the Town of Milo that this Board has no objections.

v. Resolution #ZBA_2024-004 – Final Determination

1. The Chairperson shall ask the members of this Board if they have any objections to this application.

a. If objections received, the Secretary shall inform the applicant of such objections and will list such objections for their review; or

b. If no objections are received, the Secretary shall inform the Planning Board of the Town of Milo that this Board has no objections.

This completes the activity the Board shall execute for this application at this meeting.

7. Other business:

a. Training: A Primer on Area Variances in NY by Noelle Wolfson, which was published in The Municipal Lawyer in the Winter/Spring 2017 issue. https://www.wmpf.org/wp-content/uploads/2017/05/WMPF-LUTI-2017-A-Primer-on-Area-Variances-in-New-York.pdf

8. Adjournment.