

**Town of Copake  
Zoning Board of Appeals  
Minutes - February 26, 2009**

The regular monthly meeting of the Zoning Board of Appeals of the Town of Copake, was held on Thursday, February 26, 2009, at the Copake Town Office, 230 Mountain View Road, Copake, NY. The meeting was called to order by Assistant Chair, Leslie Wood at 7:00 PM.

Present at this meeting were; Jeff Nayer, Frank Peteroy, Shawn McClain, and Leslie Wood.

**Minutes:**

Shawn made a motion to accept the minutes of January 22, 2009, this was seconded by Jeff. The motion carried.

**New Business:**

**Public Hearings:**

None

**New Applications:**

None

**Correspondence:**

There was no correspondence. Jeff reported to the Board that the only Web Mail received was grey mail. A discussion regarding the purpose of the E-mail site occurred, during the months, of its' existence, only a couple of messages have been received, should it be eliminated, since an e-mail needed to be followed up on hard copy anyway. Frank asked that the site not be eliminated until he has had the opportunity to view the E-mails. Leslie suggested that in the future any E-mail to the ZBA should go through the Town Clerk.

**Jeff motioned that the E-mail ZBA listing be removed from the Town Web Page until Frank has had the opportunity to view the ZBA e-mail, and after he has obtained the information that he wants, the ZBA e-mail address be eliminated. This was seconded by Leslie. The motion carried, unanimously.**

**The Board then discussed the use of the ZBA Office computer. Should other committee personal have access to the designated ZBA computer? It is Teri's responsibility to maintain the ZBA files, right now anyone could go in there and make changes. Shawn raised the issue that no one should have access to the ZBA files, particularly the minutes until they are approved and published. Jeff raised the issue of whether any system crash would be charged to the ZBA Budget. Leslie made issue that although it is the ZBA computer, it is still property of the Town, and as long as only Town business were being conducted, should it not be utilized? The system could be set up with an administrator password protection for all the files of the ZBA, and the computer could be used by other Town Committee Personal, without the password they could not get into ZBA files.**

**Jeff made a motion that Teri set up a password protection for the ZBA files on the office computer, the password to be shared with Vana, this was seconded by Shawn. The motion carried.**

### **Interviews:**

**Three letters of interest have been received according to Town Clerk, Vana Hotaling. The ZBA Board chose to schedule interviews after the regularly scheduled meeting on March 26, 2009. The ZBA Chair will contact the applicants, and set up the appointments for interview. From the interviews the ZBA Board will then make recommendations for filling the vacancy of one Board Member and one alternate. An issue of a possible conflict of interest has been raised concerning one of the applicants, the Town attorneys will need to be conferred.**

### **Tabled Appointments for ZBA Members:**

**Shawn made a motion to nominate Jeff Nayer as Chair of the ZBA Board, this was seconded by Leslie. The motion carried, with: Leslie voting yes, Shawn voting yes, Frank voting no.**

Leslie made a motion to remove the secretary position, stating that it was irrelevant, since we had a recording secretary. Shawn seconded this motion. It was then pointed out to the Board members that the by-laws require them to choose a secretary in addition to the recording secretary, even if there would be no duties. Leslie corrected herself and changed the motion to make a recommendation to the Town Board to remove the requirement for the position of secretary, by changing the By-Laws of the ZBA, Section 2.4, and to table the decision of naming a ZBA secretary until a decision was made by the Copake Town Board, this was seconded by Shawn. The motion was carried unanimously. Teri to draft a letter to the Town Board to address this motion.

Shawn made a motion to nominate Leslie Wood as Assistant Chair of the ZBA Board, this was seconded by Jeff. The motion was carried unanimously.

#### **Old Business:**

**Application # 2008-12, Linder & Baptie.** The Planning Board tabled the applicants application for a lot line adjustment to the March 9, 2009 meeting. The ZBA Public Hearing has remained open since November 2008, pending DEC approval. No new information has been submitted. A discussion ensued as to how long can a Public Hearing remain open, is there a time frame? Leslie will research this question, If there is a time frame, Teri to draft a letter to the applicant, and place on the March agenda.

#### **Adjournment:**

Shawn made a motion to adjourn the meeting, this was seconded by Frank. The motion carried, Unanimously. Meeting adjourned at 8:00 PM.

Respectfully Submitted,

Theresa A Traver  
ZBA, Recording Secretary