

**TOWN OF LUMBERLAND  
ZONING BOARD OF APPEALS**

1054 Proctor Road  
Glen Spey, NY 12737  
(845) 856-8600, x229

Lewis T. Powell – Chairman  
Robert M. Grimm -- Vice Chairman  
Terri Fountain – Secretary

David Leamon -- Member  
Scott Van Tuyl – Member  
Susan Wade -- Clerk  
Martin S. Miller -- Attorney

July 17, 2012

The 272nd meeting of the Zoning Board of Appeals was called to order at 7:45 PM by Lewis T. Powell, Chairman followed by the pledge of allegiance.

**PRESENT:** Lew Powell, Bob Grimm, Terri Fountain, Scott Van Tuyl, Susan Wade

**OTHERS PRESENT:** Jim Akt, Dave Sparling, Robert Packer, Simon Arscott

**READING OF THE MINUTES:** Motion made by Bob, seconded by Scott, to approve the minutes of the June 19, 2012 meeting as presented. Unanimously carried.

**CORRESPONDENCE:** None

**NEW BUSINESS:** None

**PUBLIC HEARING: Arscott area variance.**

Bob made a motion, seconded by Terri, to recess the regular meeting. Unanimously carried. Bob made a motion, seconded by Scott, to open the Public Hearing at 7:50 PM.

The legal notice was read. The application fee of \$60 was paid. The Certificates of Mailing for 9 neighbors was received, as was the Affidavit of Publication and Environmental Statement (SEQR). Lew and Bob had made site visits. An authorization from the existing owner was entered into the file. Mr. Arscott is under contract for the purchase of the property, subject to ZBA approval of the variances.

The site map was reviewed. No one from the public was present. A letter was read from adjoining property owners Henry and Gladys Wilson urging approval of the requested variances. Dave Sparling urged that the variances be granted so that the projected improvements can move forward, stating that the past owner made several illegal improvements which have caused long-standing issues for the Town. As part of his own improvements, the new owner will be required to remedy the outstanding violations.

The Board awaits comments from the Sullivan County Division of Planning and the UDC. Because these are not in the record, the Public Hearing will need to be held over to the next scheduled meeting date of August 21, 2012. Terri made a motion, seconded by Scott, to recess the Public Hearing. Bob made a motion, seconded by Terri, to reopen the regular meeting at 8:30 PM.

**HELD CASES:** None

**OLD BUSINESS:** None

**OTHER BUSINESS:** None

**ADJOURN:** Motion made by Bob, seconded by Scott, to adjourn at 8:40 PM.

Respectfully submitted,



Terri Fountain, Secretary