

**Village of The Branch – Zoning Board of Appeals
November 28, 2017**

A regular meeting of the Village of The Branch Zoning Board of Appeals was held in the Village Hall, 40 Route 111, Smithtown, NY 11787, at seven thirty p.m. on November 28, 2017.

Members Present:	Chairperson	Joseph Magliato
	Member	Dennis Bader
	Member	Charles Robelen
	Member	Dick Lockwood
	Member	Jean Esser

Others Present: Christine Cozine, Village Clerk; Mr. and Mrs. Bruce Silva (homeowners).

The ZBA Meeting was called to order by Chairman Joseph Magliato at 7:30pm.

The public notice for the meeting is was published as follows:

The Board of Zoning Appeals (BZA) of the Village of The Branch will meet at the Village Hall, 40 Route 111, Smithtown, NY, at 7:30 PM on Tuesday, November 28, 2017 to consider an application for a variance from Mr. & Mrs. Bruce Silva at 11 Branch Drive, Smithtown, NY to allow for installation of an in ground pool. Village Code 75-12-A requires a pool, filter and heater must be setback of 25' from the nearest property line and the homeowner is requesting a 10' variance from the back property line.

It was determined that the applicants' notifications to their neighbors are in order.

Mr. Silva presented his plans to the Board for a variance of 10 feet from the back property line for the pool. Member Robelen was concerned with the actual property line due to the fence that is currently there and it is not on the property line. At this time Mr. Silva mentioned they are having a new survey currently being prepared. Member Lockwood commented he like the placement of the lighting. There will also be a drywell installed and this will help with the drainage concerns since there is a high water table.

Member Robelen made a **motion** to grant the variance as requested to allow a 10' variance based upon the information given at the time of the meeting. Member Lockwood seconded the motion. Roll vote: J. Magliato – Yes, D. Bader – Yes C. Robelen – Yes J.Esser - Yes
Motion carried with unanimous approval.

Member Bader made a **motion** to accept the minutes from last BZA meeting in February. Member Robelen seconded the motion. Roll vote: C. Robelen – Yes, J. Magliato – Yes, D. Bader – Yes.
Motion carried with unanimous approval

Member Esser made a **motion** to adjourn. Member Magliato seconded the motion which was approved unanimously.

Meeting adjourned at 7:49 pm

Respectfully submitted,
Christine Cozine, Village Clerk

