**Village of The Branch – Zoning Board of Appeals**

**May 24, 2022**

**Track #51**

Tthe 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 May 24, 2022.

Members Present: Chairman Joseph Magliato

 Member Dennis Bader

 Member Charles Robelen

 Member Evan Dick

Others Present: Christine Cozine, Village Clerk

The ZBA Meeting was called to order by Chairman Joseph Magliato at 7:37pm.

 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 40 Route 111, Smithtown, NY, at 7:30 PM on Tuesday, May 24, 2022 to consider an application for a variance from Mr. Michael Killoran at 5 Daisy Lane, Smithtown, NY to.

All persons present will be given an opportunity to be heard.

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

Member Bader made a **motion** to open public meeting. Member Dick seconded the motion.

Roll vote: J. Magliato – Yes, D. Bader – Yes, C. Robelen- Yes E. Dick - Yes

Motion carried with unanimous approval.

Mike Killoran – 5 Daisy Lane presented his case. In 1963 the property received a variance from the builder because the rear lot is 17 feet not 25 feet. Was informed by the Building Inspector that I needed to go through the formality of the variance process to put porch on, roof rafters and eliminate the cantilevers in the dining room and portico over the front door. Going to make the former garage space, a den, since he now has a separate 2 car garage. Mr. Killoran will not be changing the footprint of the residence.

James Savioer – 4 Daisy Lane resident asked how long the permit will last?

Diane Kavati – 7 Daisy Lane asked did you add on to the other project? What’s the time frame? Mr. Killoran answered he had medical issues with his arms,2 shoulder replacements, so it set him back. He stated he wants the project to be done by the end f the year.

James Mulhall – 12 Berkley Place – lived in the neighborhood all his life and is eager to see the project finished. Applauded Mr. Killoran for his attention to detail and feels it is a nice addition to the neighborhood.

Member Bader made a **motion** to close public meeting. Member Dick seconded the motion.

Roll vote: J. Magliato – Yes, D. Bader – Yes, C. Robelen- Yes E. Dick - Yes

Motion carried with unanimous approval.

Discussion ensued with the Board as follows:

Dennis Bader – went on the site visit and looking forward to seeing the project finished. As far as landscaping goes, noticed that the porch on the Berkley side of the street is open, so would like to see some bushes there. The existing driveway will be coming out and there will only be 1 driveway and the curb cut will be gone as well. There will be no soffit lights, maybe some landscape lighting and high hat lights in ceiling fan on porch.

Charlie Robelen – asked if the garage is done?

Evan Dick – applauded Mr. Killoran for following the rules. He is not making it larger and keeping within the variance granted in 1963.

Joe Magliato- agrees what all others have already said.

Member Bader made a **motion** to accept the proposed variance as is as long as driveway is taken out, curb cut fixed and landscaping is done. Member Robelen seconded the motion.

Roll vote: J. Magliato – Yes, D. Bader – Yes C. Robelen – Yes E. Dick - Yes

Motion carried with unanimous approval.

Chairman Magliato made a motion to accept the BZA December 2020 minutes. Member Dick seconded the motion which was approved unanimously.

Roll vote: J. Magliato – Yes, D. Bader – Yes C. Robelen – Yes E. Dick - Yes

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

Roll vote: J. Magliato – Yes, D. Bader – Yes C. Robelen – Yes E. Dick - Yes

Respectfully submitted,

Christine Cozine

Village Clerk