

**Village of Millerton**  
**Meeting of the Zoning Board of Appeals**  
**September 4, 2024**

The Village of Millerton Zoning Board held a meeting on Tuesday, September 4, 2024 at 6:07 PM with Chair Delora Brooks presiding. ZBA members present: Claire Goodman, Kelly Kilmer, Suzanne Stevens, and Ed Stillman. Also present: Emerald Havelin (Recording Secretary), and Ray Nelson.

**7-9 Main Street Variance Application Discussion**

Ed Stillman explained that the Record of Findings conjoins the two variances. The entire board agreed to consider each variance separately, per attorney Ian MacDonald's recommendation in a previous meeting. Kelly Kilmer recommended the agenda items 3-A and 3-B be flipped because the variance for parking is moot if the area per dwelling unit variance is not granted, to which the whole board agreed. It was determined the last date to make a decision is October 11, 2024.

Kelly Kilmer asked the board if anyone talk to the applicant about changing the amount of units to 9 as opposed to changing it to 12 and Ed Stillman replied not explicitly. Ed also noted there are two other multifamily buildings that are below 2,000 sqft per unit so the request to change the area per dwelling down to 689.7 sqft per unit is objectively substantial.

Suzanne Stevens noted that there would be a positive impact to the neighborhood if improvements are made to the building. Ed Stillman pointed out there is no guarantee the improvements will be made if the variance is granted. Kelly Kilmer stated it is possibly going to continue as is without granting the variance. If the variance is granted, it will go back to the planning board, and the appearance will likely not change for many years but she would rather see things be put in good, working use so her opinion is to help the applicant so the village remains quaint. Ray Nelson stated he would make improvements to the building, such as improving the walls and stairs, even if the variance is not granted and the applicant has no intention of holding the board hostage in negotiations. Kelly Kilmer stated the building inspector will ensure codes are being met.

Ed Stillman inquired if having more smaller tenancies affect the neighborhood differently than less bigger apartments. Suzanne Stevens replied that there are limitations on how many people can reside in a unit. The whole board agreed there would be no impact on physical or environmental conditions in the neighborhood.

Ed Stillman stated it is a self-created difficulty because the investor-buyer overlooked readily available flaws. Kelly Kilmer reminded the board that the applicant is trying to do the right thing. Suzanne Stevens stated the information is readily available in the building files.

Moving onto the parking variance, Kelly Kilmer stated approving this variance would change the character of the neighborhood. The applicant did provide alternative parking solutions. Ed Stillman stated there are no viable options with neighbors because it would require easements. Delora Brooks stated parking is already grossly non-conforming. We can keep expanding but it is maxed out before we even started. Suzanne Stevens stated it is not a self-created problem and Ed Stillman stated parking in the village is a problem bigger than just that property.

Kelly Kilmer suggested we submit two separate record of findings and then two separate resolutions for the resolutions.

Approved on: October 2, 2024

**Minutes 8/14/24**

A *Motion* was made by Kelly Kilmer and seconded by Ed Stillman to approve the minutes from 8/14/2024. All present members agreed.

**Approve bills for Escrow**

A *Motion* was made by Kelly Kilmer and seconded by Ed Stillman to approve bill payment for Escrow. All present members agreed.

**Executive Session**

No executive session needed.

**Next ZBA Meeting**

The next ZBA meeting will be held on October 2, 2024 at 6:00 PM.

**Adjourn**

A *Motion* was made at 6:09 PM by Claire Goodman and seconded by Ed Stillman to adjourn the meeting. All four remaining, present members agreed.

Respectfully submitted,

Emerald Havelin

Planning and Zoning Secretary