

## **Colden Zoning Board Meeting**

May 18, 2023

**Zoning Board** Shawn Webster (Chairman), Andrew Geist, Bernie Horschel,  
**Members Present:** and Alex Keogan

**Absent:** Mark Bus

**Also Present:** Tom Dziulko (Fire Inspector/Asst Code – Enf. Officer),  
John Kotlarsz (Bldg. Insp/Code Enf. Officer)  
Applicants: Dan Byrne and Fred Hill  
Approximately 26 Residents

Chairman Shawn Webster called the May 18, 2023 Zoning Board Meeting to order at 7:00 PM in the courtroom at the Colden Town Hall.

### I. Roll Call of Members

### II. Mr. Dan Byrne

The Zoning Board Members reviewed the pictures and documents that were submitted to the Town of Colden by Mr. Dan Byrne. Bernie asked to level up the driveway approximately 2ft up the hill. The Board Members reviewed the setbacks and map. The Board Members reviewed if the driveway could be moved further back to left of the property. This will allow the building to be 50ft off the road. The Board Members considered the hill might not be able to be adjusted due to water concerns. Mr. Byrne will reevaluate his property and pull a few stumps out to examine the ground.

The Board Members tabled the topic until the next Zoning Board meeting.

### III. Fred Hill

The Board Members requested that the topic to be reviewed in a civil manner. Shawn reviewed the required setbacks and the violations that pertain to the property that is owned and rented. The setbacks are not being met for housing animals and the number of cattle allowed on the property. The concern about keeping livestock on the correct amount of acreage was reviewed. The barn was constructed before a permit was issued and it was never acknowledged by the Applicant that it would be used for livestock. The barn was permitted for storage use.

Several concerned citizens spoke about the constant abundance of manure and it seeping into the water table. Also, the manure running into nearby driveways after it rains. The discussion of the health and safety of the cattle was also reviewed. The Board Members received documentation and pictures from the concerned citizens and was reviewed.

Mr. Peter Harding spoke on Mr. Hill's behalf. Mr. Peter Harding is associated with the Administrative Oversight of Government Account of Ability Director. Mr. Peter Harding asked how the violations can be rectified. He spoke highly of the Applicant and assured the Board Members that he has the best intent to be a good neighbor. Mr. Hill's daughter spoke and explained that the cattle are her 4H project and that her Dad helps out others in the program. Bernie reviewed with Mr. Peter Harding that the property lines need to be 100ft North and South. Tom Dziulko stated that the property would never meet the code for 100ft.

Ms. Jessica Neischel went on the record to express her concerns for the property reviewed by the Board Members that were reviewed by the Board Members and papers were served.

The Board Members all denied the request.

Shawn motioned to adjourn at 8:05 PM, all were in favor.

Submitted by: Crystal Barrett