

**MINUTES
BOARD OF ADJUSTMENT
FRIDAY, OCTOBER 2, 2009**

Members Present: Mr. Krause, Supervisor Schmidt, and Mr. Fox

Others Present: Steven Swanson, Deputy Zoning Administrator
Pat Scherer, Program Assistant

Attendance sheets on file

The meeting was called to order at 8:30 a.m.

Minutes:

Supervisor Schmidt moved to approve the minutes of September 18, 2009, seconded by Mr. Krause. **MOTION CARRIED UNANIMOUSLY.**

Review the petition of Jason VanHandel for a Variance request (V-11-09), Town of Oneida: Mr. Swanson stated all the notices were properly published, and illustrated the site on a 2008 aerial photo. The applicant is proposing to construct a concrete sidewalk along the perimeter of a recreation pond that he excavated. The sidewalk will be 35 ft from the ordinary high watermark of the adjacent navigable stream that is located on the south side of his property. Jason VanHandel spoke in favor of the project as well as Chad Weyenberg. Discussion continued. At 8:57 a.m. Mr. Fox moved to close the public hearing, seconded by Supervisor Schmidt. **MOTION CARRIED UNANIMOUSLY.** After further discussion Mr. Fox moved to grant the Variance with the condition that if there is any future interference with the sidewalk and the stream that will cause the sidewalk to be removed, it will be at the owner's expense. Mr. Fox stated his reasons for granting the Variance are: uniqueness of property based on limited area for the placement of the sidewalk, and it is not contrary to public interest. Mr. Krause seconded the motion. Supervisor Schmidt opposed. **MOTION CARRIED.** At 9:20 a.m. Mr. Krause moved to approve the written Decision, seconded by Supervisor Schmidt. **MOTION CARRIED UNANIMOUSLY.** At 9:22 a.m. the Committee members signed the decision.

Adjournment:

At 9:23 a.m. Supervisor Schmidt moved to adjourn the meeting, seconded by Mr. Fox. **MOTION CARRIED UNANIMOUSLY.**

Respectfully submitted,

Pat Scherer
Program Assistant
Zoning Administration