

Call to Order at 5:02 pm

Roll Call. Attending from New Buffalo, MI, Berrien County: Arlene Pokuta, Richard Cooper, Mark Joseph, Mark Gabryszewski

Attending from Boston, MA, Suffolk County: Tom Smith

Attending from Naples, FL, Collier County: Wayne Borg

Approval of Agenda. Motion by Gabryszewski, seconded by Borg to approve the agenda: roll call vote, motion carried, 6-0.

Approval of Previous Minutes- November 19, 2020. Motion by Gabryszewski, seconded by Pokuta to approve the previous minutes from November 19, 2020: roll call vote, motion carried, 6-0.

Public Comment:

None

Public Hearing

103 N. Smith Street

Motion by Smith, seconded by Borg to **open** public hearing for 103 N. Smith Street: roll call vote, motion carried, 6-0.

Dale Johnson – President of the Merchant St. Condos was present and observing the meeting.

Motion by Smith, seconded by Borg to **close** the public hearing for 103 N. Smith Street: roll call vote, motion carried, 6-0.

301 W. Mechanic Street

Motion by Smith, seconded by Borg to **open** the public hearing for 301 W. Mechanic Street: roll call vote, motion carried, 6-0.

No comment.

Motion by Smith, seconded by Pokuta to **close** the public hearing for 301 W. Mechanic Street: roll call vote, motion carried, 6-0.

910 Lake Drive

Motion by Smith, seconded by Pokuta to **open** the public hearing for 910 Lake Drive: roll call vote, motion carried, 6-0.

No comment.

Motion by Smith, seconded by Pokuta to **close** the public hearing for 910 Lake Drive: roll call vote, motion carried, 6-0.

New Business

Variance Request 103 N. Smith Street to allow demolition of existing house and construction of new house located in the same footprint, with variance for rear yard setback requirements.

Building Official and the applicants stated area is zoned R3 (high-density residential), not zoned R1 (single family residential).

Comments made that proposal matches what is happening in the area.

The new house will be the same size as the house that was there.

Building permit is good for 6 months.

Motion by Joseph, seconded by Pokuta to allow the variance request for 103 N. Smith Street to allow demolition of existing house and construction of new house located in the same footprint, with variance for rear yard setback requirements, as presented: roll call vote, motion carried, 6-0.

Variance Request 301 W. Mechanic Street to allow a 6' privacy fence in the designated front yard.

Corner lot has two front yards and want to block the view from Smith St.

Wanting to erect a 30 ft. section to get privacy for the back yard.

Motion by Borg, seconded by Gabryszewski to allow the variance request for 301 W. Mechanic Street to allow a 6' privacy fence in the designated front yard: roll call vote, motion carried, 6-0.

Variance Request 910 Lake Drive to allow a side yard setback of 5 feet instead of the required 10 feet for an inground pool.

Owner, Tim Hancz, stated he was trying not to take up the whole area between the house and Lake Michigan and keep the pool at least 10 ft. from the house.

The neighbor to the east did not have an issue with the pool placement.

The plan is to have a 4 ft. glass fence between the pool and the property line to the west.

There is a 15 ft. easement on the west side of the property between 910 Lake Drive and the property to the west. The property to the west is owned by Albee.

Smith would have liked to have input from the Albee's. Mark Joseph suggested sending a certified letter to the Albee's requesting a response. Pokuta is familiar with the family.

Motion by Borg, seconded by Pokuta to allow the variance request for 910 Lake Drive to allow a side yard setback of 5 feet instead of the required 10 feet for an inground pool: motion denied,

Roll call vote:

Borg – yes
Pokuta – yes
Cooper – yes
Smith – no
Gabryszewski – no
Joseph - no

Motion by Borg, seconded by Smith to table the variance request for 910 Lake Drive until requester, Tim Hancz, gets a response from the neighbor to the west, Albee, in writing to approve/deny a side yard setback of 5 feet instead of the required 10 feet for an inground pool and Board will respond as quickly as possible with a special meeting: roll call vote, motion carried, 6-0.

Board Members Comments:

None

Motion by Joseph to adjourn, seconded by Gabryszewski at 6:15 p.m. to adjourn the meeting: roll call vote, motion carried, 6-0.

Adjournment at 6:15 PM.

af