

**ZONING BOARD OF ADJUSTMENT**

**Mulheron 2007-CU-01**

**# 08.015.00**

**MINUTES**

**July 24, 2007**

Members present: Joe Perella, Chairman; Joe Spence; Mark Smith

Members absent: John Altermatt

Others present: Ezra Mulheron, *Linda Rusitto, Clerk*

The meeting was called to order at 7:05 p.m. to resume the June 26, 2007 hearing of the Conditional Use Permit application of Ezra Mulheron of 5656 Main Road to build a separate garage in the designated Flood Hazard Area at the above address.

Zoning Administrator Seth Jensen had written to the State Agency of Natural Resources on May 23, 2007 regarding the proposed construction. A reply was received, dated June 29, 2007, defining the minimal requirements for an accessory structure built in the Special Flood Hazard Area.

Mulheron submitted Technical Bulletin 1-93 from FEMA, which gives guidance for complying with building performance standards for structures built within floodprone areas; in particular, the openings in foundation walls required for buildings located in Special Flood Hazard Areas. Mulheron also submitted plans for the garage showing the proposed construction in compliance with these standards. (see Exhibit A)

The 30'x28' garage is to be located so as not to encroach on the regulatory Floodway boundary. The Board discussed with Mulheron the number of vents in the foundation wall, the anchoring of the structure with J-bolts and the electrical floodproofing and elevation of electrical outlets.

The Board reviewed the State criteria and the proposals submitted by Ezra Mulheron and unanimously agreed that the proposals would meet all the requirements of the State. The Board then reviewed the Huntington Flood Hazard Area Regulations, in particular, sections 174.1 through 174.4 and found that all criteria will be met. A motion was made and seconded to close the meeting to public discussion. All in favor.

The Board reviewed all the State and local criteria and requirements for the accessory structure in the Flood Hazard Area and were satisfied that all the requirements and criteria would be met by the proposed plans of Mulheron. The Board voted unanimously to issue a Conditional Use Permit to Mulheron for the construction of the garage, with a building permit to be issued by the Zoning Administrator immediately at no charge.

A motion was made and seconded to adjourn. All in favor. The meeting was adjourned at 7:35 p.m.

Respectfully submitted July 27, 2007  
Linda Rusitto, ZBA Clerk

Approved \_\_\_\_\_  
Joe Perella, ZBA chairman

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DATE *11-18-08*

Date: \_\_\_\_\_