

ZONING BOARD OF APPEALS MEETING MINUTES – FINAL
WEDNESDAY, FEBRUARY 23, 2022

MEMBERS PRESENT:

Phillip Zemke, Chairman
Ingrid Kulick
Rocco Mancini
Travis McHale Absent

MEMBERS ABSENT:

Travis McHale
Jack Stortini

ALSO PRESENT:

Debra Blalock

Chairman Zemke opened the meeting at 7:00 p.m.

Public Hearings: None

Applications:

1. **Verrilli Area Variance** - Frank Mazzarella, Architect and authorized representative, appeared along with Gregory and Christine Verrilli for the area variance application to increase the lot coverage from the allowed 10% to 20% on property owned by Christine and Gregory Verrilli located at 1359 Willowbrook Road, tax grid number 6571-00-572228 located in the Highway Business zoning district and consisting of 2.3 acres. Mr. Mazzarella said this lot is at the corner of Willowbrook Road and Route 199. There are three existing buildings on the lot – an open pole barn, an office building, and a workshop. The existing apartment is now the office. The owners of the property would like to operate a public garage for the storage of vintage automobiles with minor maintenance being performed. There will be no cars stored outside. There is an existing drive which will be maintained as well as the existing parking area and septic field and well. The site slopes down towards the rear. There is an underground pipe which leads rainwater from the slope to that area. The owners would like to add two buildings which are compliant with setbacks. The pole barn currently stores vehicles. They have not done any drainage or parking studies. Mr. Mazzarella said before they invested in those studies, they want to see what they can put here in the way of buildings.

Chair Zemke said this site is in the Highway Business (HB) zoning district. A principal use building in the HB district is limited to 5,000 square feet. He is not sure if the 5,000 limitation can be varied. There are many other site factors such as drainage, building design, etc. that is necessary to review this. The Planning Board will be doing the site plan review and should be lead agency. They would determine how much of an environmental assessment needs to be done. If we accept this application for an area variance and make a decision, it ties the hands of the Planning Board. The Zoning Board should not be lead agency. The Zoning Board cannot make a judgement on the benefits and detriments of this project to the community without doing a complete review of the total project. This is a multi-building project which is unusual for this town.

Chair Zemke said the most efficient course of action is to start with a site plan approval application with the Planning Board. The Planning Board will review the whole project and make a number of determinations which would include a recommendation to the Zoning Board on any required variances. The Zoning Board only looks at the variance application and does not evaluate site plan issues such as parking, drainage, wetlands, etc. This Board cannot evaluate a variance ahead of the Planning Board starting their site plan review. The Zoning Board needs to evaluate whether this project is a benefit or detriment to the community and whether it complies with the Master Plan, and we would need Planning Board input on the site plan to do that. Chair Zemke read the definition of the Highway Business zone and said a public garage is a permitted use in this district.

There was no action taken at this meeting. The applicant said they will appear at the Planning Board meeting for a pre-sketch discussion.

Administrative Items:

Chair Zemke motioned that the Zoning Board of Appeals accept the minutes of the December 22, 2021 meeting as written. Ms. Kulick seconded.

Phillip Zemke, Chair	Aye	Travis McHale	Absent
Ingrid Kulick	Aye	Jake Stortini	Absent
Rocco Mancini	Aye		

Motion carried 3-0.

Discussion Items/Correspondence:

1. The following two documents were distributed to Board members at the suggestion of the Town Supervisor:
 - Zoning Board of Appeals – James A. Coon Local Government Technical Series – which includes all statutory changes through the 2005 Legislative Session.
 - Zoning Enforcement – James A. Coon Local Government Technical Series

Chair Zemke motioned to adjourn the meeting at 7:40 p.m. Mr. Mancini seconded.

Phillip Zemke, Chair	Aye	Travis McHale	Absent
Ingrid Kulick	Aye	Jake Stortini	Absent
Rocco Mancini	Aye		

Motion carried 3-0.

The next regular meeting will be held on Wednesday, March 23, 2022 at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board