

## Zoning Board Of Appeals

Minutes for meeting of 1-7-15.

7:00 – meeting called to order by Hugh Dudley.

- There were no public hearings or specific guests scheduled for this meeting, only open discussions and board positions to be determined.

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- Election of Officers: A short discussion on any position changes and everyone felt the current positions worked very well.

Gary made a motion to keep Hugh Dudley as Chairman, Kevin 2<sup>nd</sup>. All approved.

Gary made a motion to keep Leonard as Vice Chairman, Russ 2<sup>nd</sup>. All approved.

Gary made a motion to Keep Kevin as secretary, Leonard 2<sup>nd</sup>. All approved.

- Meeting dates – A March 3<sup>rd</sup> and June 2<sup>nd</sup> date were briefly discussed, but everyone decided to stay with the first Wednesday of each month. If anything major develops, it can always be changed via public notice. Gary made the motion to leave at the first Wed. of the month, Kevin 2<sup>nd</sup>, and all approved it.

7:15 – Discussed Stacy Spears building and the variance he, (George Bidleman – proposed buyer), requested an opinion on. This request was made to have an idea of the board's thoughts and idea's prior to George Bidleman spending thousands of dollars on survey's etc for no legitimate reason if it was not feasible.

The main variance they initially requested an opinion on was the 106' set back from the back lot line for an auto repair shop. Some of the thoughts that were voiced were:

- Leonard – the front of the building had very little land to park cars at, but then in re-assessing total sq. footage, realized there is sufficient room in the rear of the building.

Dan – the use of a business sign out front. It would be very limited due to close proximity of building to road, etc.

Gary – The driveway on the north side of the building was very narrow and close to the property line, so would need to be aware of that.

Russ and Kevin – that George Bidleman, (should he buy this property), would eventually also sell used cars out of it, simply due to the nature of his business. This lead to a very detailed discussion on previous use of the building, (a Buick and Chrysler dealership), repair shop, etc. It came up that Stacy Spears currently has a land contract with the owner of the house directly to the north, and that it would be expected that George Bidleman would also probably buy that house in the future and turn it into a parking lot, etc for his auto business. The existing zoning of that entire area, along with the already approved self-storage buildings to the north and west of the subject property was also discussed.

After numerous points were made, everyone thought that Dan should talk to the applicants, (and current owner), and discuss with them putting in an application that also includes the sales of auto's so that the ZBA, and the County Planning Board, do not have to go back and re-address this issue. This suggestion is simply because of the properties long established previous use, and of the nature of George Bidleman's current business

Kevin made the motion to have Dan to tell the applicants to take it to the County Planning Board, Russ 2<sup>nd</sup>, and all approved.

7:45 –Leonard made the motion to close the meeting, Gary 2<sup>nd</sup>, all approved.

Closed.

## **TOWN OF ALBION**

### **Code Enforcement Office**

3665 Clarendon Road

Albion, New York 14411

(585) 589-7048 Ext. 15

Fax: (585) 589-9452

### Zoning Board Agenda 2/4/2015

Public Hearing for former 5 Star Building

Review application for Variance for Transit Concrete

Review Interpretation request for Shawn Cobb

Approval of January minutes



# Zoning Board Of Appeals

Minutes for the meeting of Feb. 4<sup>th</sup>, 2015.

Members in attendance:

Dan Strong, Russ Olles, Gary Katsanis, Kevin Parker

7:00 –Meeting opened by Kevin

7:01 – Kevin opened the public hearing for the 5 star building, (for George Bidleman).

It was noted by Dan that the County board has already approved the variance on their end.

Andrew Meier, (attorney for Bidleman), spoke briefly and re-iterated the proposed use is virtually the same as that building has been used for over years and years.

Everyone agreed there were no issues at all on this.

7:15 - Gary motioned to close public hearing, Russ second. Closed.

Gary made a motion to grant the variance, Kevin 2<sup>nd</sup>, and all approved.

7:16 – The discussion for Transit concrete started.

- They are asking for a height variance for a radio tower to be attached to the top of the loading tower. The loading tower will be approx. 65 feet, and the antenna another 20 feet on top of that. (normal allowance is 35'). David Hill, (owner), feels this height is truly needed to insure the truck's radio's can be reached all over the area.

- Fall zone, area foliage, entire parcel layout was all discussed, along with a recently approved windmill height variance, (½ mile west), and everyone was in agreeance that this would probably be needed and probably shouldn't be a problem to anyone in the area.
- Dan is sending it to the County board for the next meeting and we will have the public meeting at our next meeting.

7:25 – Discussion on the interpretation of “paved area”.

- This is relevant due to Shawn Cobb's proposed used auto lot on Rt. 31.
- The town does not have a set definition for a “paved area” or “pavement”.
- The two lots currently in use have gravel driveways, (that are directly across the street from the proposed).
- It was discussed that the DEC has already approved the usage, (since there is a small stream directly on this property).
- After quite a bit of discussion, it was generally agreed upon that gravel in this instance meets the intention of the term “paved area”. That it is considered a “hard surface”. And it would be appropriate.
- Dan will publish and we will hold a public hearing on it for next month's meeting.

7:40 – The minutes from the meeting of 1-7-15 were reviewed.

- Gary made a motion to accept, and Russ 2<sup>nd</sup>. All approved.

7:42 – Russ made a motion to close meeting, Gary 2<sup>nd</sup>. Closed.

Comment [k1]:

Comment [k2]:

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### **Town of Albion Zoning Board of Appeals meeting minutes for 3/5/2015**

Meeting was called to order at 7:00 pm by Chairman Dudley. All members except Kevin Parker present at time of beginning of meeting. Kevin Parker arrived during the meeting. Also present were Shawn Cobb, Jeffery Post and Dan Strong.

The public hearing scheduled for 7:00 pm for the application submitted by David Hill of Transit Concrete was tabled at the written request of the applicant received by e-mail on 3/3/2015.

A discussion was conducted regarding adhering to the agreed upon meeting schedules.

The board discussed the definition of pavement. It was agreed that pavement shall be defined as hard packed impermeable surface.

The public hearing for the interpretation request submitted by Shawn Cobb was opened at 7:15. The interpretation was requested for the requirements for the parking surface for a proposed motor vehicle sales/repair operation. The applicant was requesting to use a compacted gravel surface for the parking lot as shown on the site plan.

The board agreed this would be acceptable. Len Standish made a motion for approval and Russ Olles seconded the motion.

The board reviewed the minutes of the prior meeting. A motion for approval of the minutes was offered by Gary Katsanis and seconded by Len Standish.

Len Standish made a motion for adjournment. The motion was seconded by Gary Katsanis. The meeting was adjourned at 7:35 pm



Zoning Board of Appeals, Town of Albion

Minutes of the 6/3/2015 Meeting

Chairman Hugh Dudley called the meeting to order at 6:59. Attending were Hugh Dudley, Russ Olles, Len Standish, Gary Katsanis, Code Officer Dan Strong, and homeowner Michael Donnelly.

The Board reviewed an application by Michael Donnelly, which would require area variances to establish a home business. After discussion and review of the site plan, it was determined that the Code Officer needed to contact the County Planning Board, and that there were minor changes needed to the area variances requested. The Board will address the application after this is completed.

The Board considered an inquiry by Josh Merrill. He intends to remove a mobile home in poor condition and replace it with a stick-built structure for occasional occupancy. His inquiry was with regard to any ordinance affecting parking a camper on the property for the duration of construction. Parking a camper on a property without a residence is strictly limited, while parking on a property with a residence is not limited in the same way.

After extensive discussion, the Board issued the following interpretation: For the purposes of zoning and land use, parking a camper on the same property as a residence under construction with a current building permit is equivalent to parking a camper on a property with a permanent residence. It is not subject to the limitations of parking a camper on a property without a residence.

Gary moved to end the meeting, seconded by Len. Motion was carried unanimously.

Meeting ended at 7:35 PM.

Respectfully submitted by Gary Katsanis

Minutes for the Zoning Board of Appeals  
Town of Albion, NY  
11-4-15

The Town Planning Board ran a few minutes late.

7:05 – Hugh called the meeting to order.

7:06 – Public meeting opened for Poverty Hill farms to discuss an area variance on an agricultural employee dwelling.

We reviewed the survey, location, replacing a current structure, neighbors, surrounding structures, the distance after variance still being 20' greater than the normal residential requirement, etc with Jody Neal.

7:12 – Public meeting closed.

7:13 – Gary made motion to approve the variance as requested, (80'). From 200' down to 120' Kevin 2<sup>nd</sup>. All Approved.

- Reviewed and filled out SEQR.
- Discussed possibly requesting changes to the town ordinance "right to farm" stance with changes to front set back requirements the same as a normal residential, (100').
- Reviewed previous months minutes – Gary motioned to accept. Russ 2<sup>nd</sup>. All approved.

7:25 – Russ motioned to close meeting. Gary 2<sup>nd</sup>. Closed.

Board members present:

Gary Katsanis

Kevin Parker

Hugh Dudley

Russ Olles

Dan Strong

Public:

Jody Neal & son

Patrick Olles