

**Zoning Board of Appeals
Minutes
December 20, 2018**

Members Present: Richard Ubert, Chairperson
Bill Ordon, Member
Kirk Hurme, Member
Todd Brice, Member

Absent: Tracey Cullen, Vice Chairperson
Eric Taylor (Alternate Member)

Other Attendees: Bryan Donato, Building Inspector
Corliss Baskerville, Secretary to the Board

Meeting called to order at 7:05 pm.

Chairman Ubert welcomed everyone to the December 20, 2018 meeting of the Zoning Board of Appeals and introduced all the members. Chairman Ubert stated applicants are hereby notified that any/all agreed concessions, promises, pledges, assurances or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board.

Chairman Ubert informed applicants that a full Board was not present due to circumstances beyond their control. It would require a 3-1 vote to approve any application. If they so choose, the applicants could ask for a postponement to be heard until the entire Board was present. He then polled the applicants to see if they preferred to postpone their application. All applicants chose to be heard.

Chairman Ubert asked the Board for a motion to approve the minutes from the November 15, 2018 meeting.

Motion to approve the November 15, 2018 minutes was made by Mr. Ordon seconded by Mr. Brice.

Vote on the Motion:	Mr. Ubert	aye
	Mr. Ordon	aye
	Mr. Brice	aye
	Mr. Hurme	aye

Motion carried:	4 ayes	0 nays
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Application of Amanda Gorrano. Applicant seeks special exception for the renewal of a non-owner-occupied two-family dwelling pursuant to Section 183-82 A. (10) (c) of the Village Code. Premises located on the South side of Green Ave., approximately 375 ft. West of Broadway in a "B-2- Business" District known as 32 Green Ave., a/k/a SCTM# 101-5-2-43. Ms. Gorrano spoke on behalf of this application.

Findings:

1. Applicant owned the property for approximately fourteen years.
2. This is a two-family dwelling with four bedrooms upstairs and two bedrooms downstairs. There are two bathrooms in the dwelling.
3. There is one family in the home using it as a two-family home. There is a brother and wife that occupy the downstairs unit and two brothers that occupy the upstairs unit.
4. There is sufficient off-street parking on the premises. Five cars can park there.
5. Applicant lived in the home ten years ago.
6. There are other two-family dwellings in the area.
7. No one spoke for or against the application.

Motion to approve this application was made by Mr. Ordon seconded by Mr. Hurme with the following stipulations.

Stipulations:

1. This special exception is approved for a period of three years or until change of ownership.
2. Applicant must maintain the property grounds including garbage removal and off-street parking.
3. Applicant must maintain a valid rental permit.
4. Applicant must adhere to all Village, State and Local codes.

Vote on the Motion:	Mr. Ubert	aye
	Mr. Ordon	aye
	Mr. Brice	aye
	Mr. Hurme	aye

Motion carried: 4 ayes 0 nays

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Application of Patricia Keller as agent for Double K. Holdings LLC (owner). Applicant seeks a special exception to convert a one-family dwelling to a two-family dwelling pursuant to Section 183-68 F. (1) of the Village Code. Premises located on the East side of Broadway (NYS Rt. 110), approximately 653 feet South of Avon Pl., in a "Historical" District known as 111 Broadway, a/k/a SCTM# 101-5-9-14. Ms. Keller spoke on behalf of this application.

Findings:

1. Applicant purchased the home fourteen years ago. The home was purchased with a set-up as a two-family dwelling. The previous owner presumed this to be a two-family dwelling.
2. The original Certificate of Occupancy lists this as a one-family dwelling.
3. Both apartments have one bedroom and one bathroom. There is a mother and son in the upstairs apartment and a couple (who have been there for twenty-five to thirty years) in the downstairs apartment.
4. Applicant has previously been issued multiple rental permits. Ms. Keller came to the Building Department to renew her permit. At this time, the expired special exception was discovered.
5. There is a separate building on the property which is an architect's studio.
6. There is sufficient off-street parking on the premises. The studio has five parking spaces and there are two parking spaces per unit at the two-family dwelling.
7. There are other two-family dwellings in the area.
8. Mr. Heller is a neighbor to the North of this property. He previously submitted a letter in support of this application.

Motion to approve this application was made by Mr. Brice seconded by Mr. Ordon with the following stipulations.

Stipulations:

1. This special exception is approved for a period of three years or until change of ownership.
2. Applicant must maintain the property grounds including garbage removal and off-street parking.
3. Applicant must maintain a valid rental permit.
4. Applicant must adhere to all Village, State and Local codes.

Vote on the Motion:	Mr. Ubert	aye
	Mr. Ordon	aye
	Mr. Brice	aye
	Mr. Hurme	aye

Motion carried: 4 ayes 0 nays

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Application of Braublio & Doris Castillo. Applicants seek a use variance to renew a previously approved conversion of a non-conforming, single-family dwelling to a two-family dwelling pursuant to Sections 183-94 and 183-122 of the Village Code. Premises located on the North side of Maple Pl., approximately 563 feet East of Albany Ave., in an "Industrial" District known as 48 Maple Pl., a/k/a SCTM# 101-4-1-89. Mr. Braublio spoke on behalf of this application.

Findings:

1. Applicant purchased home approximately seven years ago but has lived there for nineteen years. This is an owner-occupied dwelling.
2. There are two bedrooms upstairs and downstairs. There is one living-room and kitchen in the home.
3. Applicant previously had rental permits and came to the Building Department to renew his permit. At this time, the expired special exception was discovered.
4. Applicant was last approved by the Board in 2012 for two years. He did not renew because he was not using the home as a two-family.
5. There are other two-family dwellings in the area.
6. No one spoke for or against the application.

Motion to approve this application was made by Mr. Ordon seconded by Mr. Brice with the following stipulations.

Stipulations:

1. This use variance is approved for a period of three years.
2. Applicant must maintain the property grounds including garbage removal and off-street parking.
3. Applicant must maintain a valid rental permit.
4. Applicant must adhere to all Village, State and Local codes.

Vote on the Motion:	Mr. Ubert	aye
	Mr. Ordon	aye
	Mr. Brice	aye
	Mr. Hurme	nay

Motion carried: 3 ayes 1 nay

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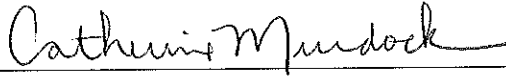
Motion to adjourn the meeting was made by Mr. Hurme seconded by Mr. Ordon.

Vote on the Motion:	Mr. Ubert	aye
	Mr. Ordon	aye
	Mr. Brice	aye
	Mr. Hurme	aye

Motion carried: 4 ayes 0 nays

Meeting adjourned 7:25 pm.

Respectfully submitted:



Catherine Murdock, Clerk/Treasurer

