

**Zoning Board of Appeals  
Minutes  
October 17, 2018**

Members Present: Richard Ubert, Chairperson  
Tracey Cullen, Vice Chairperson  
Kirk Hurme, Member  
Todd Brice, Member  
Eric Taylor (Alternate Member)

Absent: Bill Ordon, Member

Other Attendees: Bryan Donato, Building Inspector  
Judith O'Neill, Secretary to the Board

Meeting called to order at 7:00 pm.

Chairman Ubert welcomed everyone to the October 17, 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 asked the Board for a motion to approve the minutes from the September 20, 2018 meeting.

Motion to Approve the September 20, 2018 minutes was made by Ms. Cullen and was seconded by Mr. Brice. Mr. Taylor abstained as he did not actively serve on the Board for this meeting.

Vote on the Motion:	Mr. Ubert	aye
	Ms. Cullen	aye
	Mr. Brice	aye
	Mr. Taylor	abstain
	Mr. Hurme	aye

Motion carried:      4 ayes            0 nays            1 abstain

The Board granted an adjournment for the application of **Paul Ketcham, Jr.** as Mr. Ketcham's agent requested an adjournment to the subsequent month in order for him to obtain a survey and revisit the plans for this application.

**Zoning Board of Appeals  
Minutes  
October 17, 2018**

**Application of Keith Peckholdt.** Applicant seeks a Special Exception to the erection of a six-foot high fence in the North side yard and East front yard of his premises pursuant to Section 183-139 A. (2) of the Village Code. Premises located on the West side of Central Ave., approximately 73 feet South of Hamilton St., in a "Residential BB" District known as 3 Central Ave., a/k/a SCTM# 101-11-4-5. Ms. Rita Celso, co-owner of the property, spoke on behalf of this application.

Applicant is amending application to Section 183-139A.1 (From Section 183-139A.2) because property abuts waterway.

**Findings:**

1. Ms. Celso has a German Shepherd. She has not yet moved into the house because she cannot contain her dog.
2. The neighbor to her south has a six-foot fence (solid vinyl with one-foot lattice see-through for the top foot) and neighbor to the north has a four-foot solid vinyl fence.
3. Ms. Celso would like to aesthetically match the height and style of the neighbor's fences.
4. No one spoke for or against the application.

Motion to approve this application was made by Ms. Cullen seconded by Mr. Taylor with the following stipulations.

**Stipulations:**

1. Fence must step down to four feet as it gets closer to the water; in line with the neighbor's fence on the south side.
2. The top foot of the six-foot fence must be see-through.
3. If the fence has a "good side", it must face outward.
4. Returns in front of the house must be set back three feet from the front corner of the house.
5. Applicant must adhere to all Village, State and Local codes.

Vote on the Motion:	Mr. Ubert	aye
	Ms. Cullen	aye
	Mr. Brice	aye
	Mr. Taylor	aye
	Mr. Hurme	nay

Motion carried:      4 ayes            1 nay

**Zoning Board of Appeals  
Minutes  
October 17, 2018**

**Application of Michael Rom.** Applicant seeks a use variance to change an existing non-conforming, residential building to a mixed-use building with one office and one apartment, and a Special Exception for outside storage for equipment and materials associated with the office use pursuant to Sections 183-94, 183-122 and 183-96 of the Village Code. Premises located on the North side of Maple Pl., approximately 621 ft. East of Albany Ave., in an "Industrial" District known as 52 Maple Pl., a/k/a SCTM# 101-4-1-90. Mr. Rom spoke on behalf of this application.

**Findings:**

1. Applicant has owned the property for about fifteen years. It is in an "Industrial" District.
2. It is a renovated home. There are offices on the first floor with a one-bedroom apartment with one tenant on the second floor. The current tenant has been there for several years.
3. The back of the home has a Cassone storage container for tools and he parks four trucks back there.
4. The whole property has an eight-foot fence and six-foot high gate on the driveway.
5. There is parking for four vehicles in the front. They use four vehicles (he works with his wife and one other employee; plus, the tenant).
6. Applicant operates two construction businesses out of this building.
7. Applicant alleges other neighbors on the street have blended industrial/residential buildings.

**Marlene Marinucci, 63 Maple Pl.,** is a diagonal neighbor. She spoke in favor of the application and is happy he is cleaning up the neighborhood.

**Janice Baxter, 16 Purdy Ln.,** owns property in the area, and is concerned that there is not a lot of parking on the street as it is. Her concern is snow removal. She is neither for nor against the application but is concerned about where the snow goes.

**Max Switt, 53 Elm St.,** lives directly behind the property, and has no issue. He said Mr. Rom stores a lot in the back, but it is less than other neighbors and he is quieter than other neighbors.

Motion to approve this application was made by Mr. Hurme seconded by Mr. Brice.

**Stipulations:**

1. Special Exception for outside storage is granted for a term of three years or change of ownership, whichever comes first.

**Zoning Board of Appeals  
Minutes  
October 17, 2018**

2. Applicant must maintain adequate off-street parking for tenant and office employees.
3. Any industrial vehicles must be registered to one of the applicant's two businesses.
4. Applicant must maintain grounds, including appropriate garbage removal and snow removal.
5. Applicant must obtain rental permit.
6. Applicant must adhere to all Village, State and Local codes.

Vote on the Motion:	Mr. Ubert	aye
	Ms. Cullen	aye
	Mr. Brice	aye
	Mr. Taylor	aye
	Mr. Hurme	aye

Motion carried:      5 ayes          0 nays

**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.

This application was not heard and is postponed to the November meeting due to the absenteeism of Ms. Gorrano.

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

Vote on the Motion:	Mr. Ubert	aye
	Ms. Cullen	aye
	Mr. Brice	aye
	Mr. Taylor	aye
	Mr. Hurme	aye

Motion carried:      5 ayes          0 nays

**Zoning Board of Appeals  
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Meeting adjourned 7:25 pm.

Respectfully submitted:



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Catherine Murdock, Clerk/Treasurer

