

ZONING BOARD OF APPEALS

Regular Meeting

May 10, 2011

Maurice McCormick, Chairman
Stuart Linendoll
Danny Ramirez
John Huber

Dean Whalen, Village Liaison
Michael Moore, Village Attorney
Kelly Best, Secretary
John Donato, Applicant
Lance Moore, of behalf of Applicant

Kate Provencher was absent
Ernie Cupernall was absent

Chairman McCormick opened the meeting at 7:30 pm.

Chairman McCormick reopened the Public Hearing. The Board reviewed the documents provided by Mr. Donato. Mr. Donato called a number of other municipalities and asked in which zone a bottle redemption center would be located. Mr. Lance Moore stated that he was a member of the Town of New Scotland ZBA. In his opinion, this type of business would be located in a commercial zone. The board discussed the fact that the commercial property bordered residential property. The Board reviewed the how Mr. Cropsey came to his conclusion by reviewing the minutes of the April 26, 2011 page 1 and page 2.

The Board clarified the purpose of the meeting is to review the definitions provided and considering where the business would best fit within the village and whether or not the Board agreed with Mr. Cropsey's interpretation.

Mr. Donato stated that the bottles would only be at business up to 5 days. He asked the Board to review the NYSDEC's definition of bottle redemption which he presented to the board.

Chairman McCormick reviewed the Village Code definitions for Central Business District and Light Industrial District with the board. Mr. Moore pointed out that 996 Altamont Blvd is zoned Business. The Board discussed the definition of warehousing. Mr. Whalen stated that because the definition does not indicate time limits for storage, the Board can consider the use warehousing.

Chairman McCormick made a motion to close the Public Hearing. Board member Linendoll seconded the motion. All in favor.

Board member Linendoll made a motion to accept the interpretation of Mr. Cropsey that the bottle redemption center would be considered as warehousing and as such would not be allowed in the Business zone. Chairman McCormick seconded the motion.

Chairman McCormick – in favor Board member Linendoll – in favor
Board member Ramirez – in favor Board member Huber – opposed

Chairman McCormick informed Mr. Donato that he could apply for a variance if he wished to pursue opening a bottle redemption center.

Chairman McCormick made a motion to accept the minutes of April 2011 with correction of the spelling of Mr. Cropsey on page 2. Board member Ramirez seconded the motion. All in favor.

Chairman McCormick made a motion to accept the minutes of October 2010. Board member Linendoll seconded the motion. All in favor.

Chairman McCormick made a motion to adjourn the meeting at 8.06 pm. Board member Huber seconded the motion. All in favor.

Respectfully Submitted,

Kelly Best
Secretary