APPROVED:

MOTION BY: SECONDED BY:

<u>AYES</u>: <u>NAYS</u>: <u>ABSTENTIONS</u>: <u>ABSENT</u>:

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By:

Rosaria Peplow, Town Clerk

ZBA MEETING MINUTES

TOWN OF LLOYD ZONING BOARD Thursday, January 11, 2018

CALL TO ORDER TIME: 7:00PM

PLEDGE OF ALLEGIANCE

ATTENDANCE Present: John Litts, Alan Hartman, Russell Gilmore

Anthony Giangrasso; Deputy Building Inspector; Chair, Michael Guerriero, Town Board Liaison, Laura Oddo-Kelly, Secretary to Planning and Zoning

Absent: Paul Gargiulo; Anthony Pavese, Chair; Paul Symes, William Brown

ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.

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New Business:

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Zammiello/MC of Dutchess, 84 New Paltz Rd, 87.4-3-22, in a R ½ Zone.

- 20 The applicant is proposing to use a former auto repair shop (Absolutely Automotive) for a
- 21 construction business. The property was once a commercial non-conforming parcel in a R 1/2
- zone and has since lost its commercial status due to lack of use for over a year.
- 23 Applicant is seeking Commercial Use Variance from the ZBA.
- 24 Applicant was present, presented a map of the proposed project to the Board and a discussion
- 25 was held about the rock ledge, DOT work and the proposed hours of operation.
- 26 The applicant is planning on taking the ledge rock down and said his hours would be
- 27 approximately 6am to 6pm, smetimes later for nighttime DOT work.
- John Quinn, John Quinn Realty Group and applicant's representative, was present to answer
- 29 questions.
- 30 Gilmore said he visited the site and inquired as to exactly what a "construction business meant"?
- 31 The applicant said he does excavation work and will need a small office space. Most of the
- 32 excavating work remians on the job site. He will not be building any structures, etc..on the site
- and would like to store dirt loads, mulch or gravel left over from a job on the site. A letter of
- 34 approval for material storage from the DEC was presented. The applicant would like to purchase
- 35 the property for his business but the use permit expired in November 2016.
- 36 The Board was concerned about the hours of operation as other tenants typically used the space
- 37 from 9am to 5pm.
- 38 The applicant responded that the new equipment is much quieter from older vehicles in the past.
- The Board is concerned that although it has been used commercially in the past it is zoned R ½
- and is very close to neighboring homes.

- The applicant said he would like to purchase the property, put up a fence and make it look
- 42 presentable.
- Hartman inquired again what the hours of operation would be.
- The applicant responded the hours of operation for the most part would be 7am-4pm or 6am-5pm
- 45 depending on the days of operation.
- Litts explained the difference between a Use Variance and an Area Variance. He explained that a
- 47 Use Variance is much more involved.
- 48 Giangrasso explained the history of the site over the years. The property is not conducive for a
- 49 home because of its proximity to the road. The Board would not have been involved if the
- applicant had applied before the November 2016 expiration. He thinks it would be nice to have
- 51 the property utilized as opposed to it being empty.
- 52 The Board would like to see some type of fence installed and asked if there was any other
- information the applicant could provide to them before the public hearing in order to better
- inform them and the public of the project.
- A **Motion** to set the public hearing for February 8, 2018 was made by John Litts, seconded by
- Alan Hartman. All ayes.
- 57 A **Motion** to adjourn was made by John Litts, seconded by Russell Gilmore. All ayes. 7:23pm