APPROVED:

MOTION BY: SECONDED BY:

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

<u>DISTRIBUTION</u>: OFFICIAL MINUTES BOOK – TOWN CLERK – BLDG DEPT.

Certification of Receipt

By:

Rosaria Peplow, Town Clerk

ZBA MEETING MINUTES

TOWN OF LLOYD ZONING BOARD Thursday, October 12, 2017

CALL TO ORDER TIME: 7:00PM

PLEDGE OF ALLEGIANCE

ATTENDANCE Present: John Litts, Alan Hartman, Paul Symes, Paul Gargiulo

Anthony Giangrasso; Deputy Building Inspector;

Absent: Anthony Pavese; Chair, Michael Guerriero, Town Board Liaison

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

New Public Hearings

Big Sky Realty, LLC, 261-271 Upper North Road, 87.8-1-2.100, in LI zone.

The applicant is proposing to add a 7,750 square foot addition to an existing 18,500 square foot

20 light industrial building located on the westerly side of North Road. The additional square

21 footage will be used for product warehousing for an existing packaging and fulfillment business.

No additional employees are proposed, no new signage is proposed, and no additional daily

traffic trips will be generated. Deliveries to the site will be decreased as more warehouse space will be available and pick up trips are anticipated to remain the same.

will be available and pick up trips are anticipated to remain the same.

The site is currently serviced with municipal water, and individual ser

The site is currently serviced with municipal water, and individual septic system, and gas service.

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An area variance will be required in accordance with Section 100-17 D. as the current lot coverage of 68% will be increased to 72%; the LI zone permits maximum lot coverage of 35%.

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Zoning 100-17 (D) Nonconformity other than use. A structure that is conforming in use but

32 which does not conform to the height, yard, land coverage, parking or loading space

33 requirements of this chapter shall be considered to be a legal nonconforming structure within the

34 meaning of this section. No certificate of compliance shall be issued that will result in the

increase of any such nonconformity.

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37 Patti Brooks, Brooks and Brooks and applicant's representative, said the site is preexisting, non-

38 conforming with regard to overall density for which they would like to increase the density. An

area variance is required in accordance with Section 100-17 D.

- 40 Geraldine Simone, 281 Upper North Road, spoke about her concerns of keeping the fence on the
- property line between her property and Big Sky in the event that the property is sold as well as
- 42 the drainage that ends up on her farm. She does not want any drainage to include oil or garbage
- 43 which was originally agreed upon. She stated that recently the drainage has not been clean.
- Patti Brooks said she had spoken to Mrs. Simone and asked her to mention the fence at this
- 45 meeting in order to have it be part of this ZBA record. Any provisions or conditions that had
- been approved in any previous site plans shall continue and remain part of the project for the
- ZBA as well as the Planning Board. The drainage issue/catch basin will be addressed by the
- 48 Planning Board.

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A **Motion** to approve the 72% variance was made by John Litts, seconded by Paul Symes. All ayes.

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New Business

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- Pooja, Inc., Rodeway Inn and Suites, 660 Route 299, 87.1-3-2, in R2 zone.
- The applicant is seeking a commercial area variance for a fence that has already been installed on
- 57 his property. The fence was originally erected without a permit but they have now since obtained
- a permit. Applicant is seeking a commercial area variance because the face side of the fence is
- 59 directed toward the applicant's property instead of the abutting property.
- Sunny Patel, applicant, was present and provided pictures of the fence.
- Anthony Giangrasso, deputy building inspector, gave an overview of the issue. He said the fence
- was erected the wrong way and three feet from the abutting property of the Lloyd Cemetery.
- Litts commented that the Town of Lloyd code states the positive side of the fence should face the
- 64 neighboring property. He stated that the applicant could either reverse the fence or double face it.
- Hartman said that there should be a public hearing.
- 66 Litts said there should be a site plan that shows the location of the fence.

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A **Motion** was made by Alan Hartman, seconded by John Litts, to set the public hearing for November 9, 2017. All ayes.

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A **Motion** to adjourn was made by John Litts, seconded by Alan Hartman. All ayes. 7:50pm