

Minutes for the Town of Preble
Zoning Board of Appeals
March, 6, 2008

unofficial

Members present were; Chairman Dan O'Shea, Bill Underwood, Bob Lieber and Rudy Kobelia. Francis Casullo attorney for the Board was also present. Kay Vossler was absent.

Meeting called to order by Chairman at 7:32 PM and opened the public hearing for the silo.

OLD BUSINESS- BEST DECK PUBLIC HEARING FOR AREA VARIANCE / SPECIAL PERMIT

Brian Buttner Architect for Best Deck Took for to explain plans and review maps/plans. Mr. Buttner gave the Board short EAF forms for each variance. He explained that the 4 silos are each 54ft tall. There was no public comments, hearing closed at 7:38P.M.

Chairman O'Shea opened the public hearing for the sign variance request. There was no public comments. Hearing closed at 7:40 P.M.

Chairman O'Shea stated that the sign will also require a building permit. The Board will have to do a SEQR and then grant a special permit subject to the Planning Boards site plan approval and the Zoning Boards approval are contingent upon the Planning Boards site plan approval.

RESOLUTION

Bob Lieber motioned to declare the zoning Board of Appeals as lead agency in both the area variance and special permit request from Best Deck and Bill Underwood seconded the motion. Motion carried, vote was Bill Underwood(aye), Bob Lieber (aye), Rudy Kobelia (aye) and Dan O'Shea (aye). Kay Vossler was absent.

RESOLUTION

Bob Lieber motioned to declare a negative declaration for the Best Deck variance request for the silo and special permit request for the silo and Rudy Kobelia seconded the motion, Motion carried, vote was Bob Lieber (aye), Rudy Kobelia (aye), Bill Underwood (aye) and Dan O'Shea (aye). Kay Vossler was absent.

Attorney Fran Casullo asked Brian Buttner to have Scott Steve of Best Deck send a letter stating it was alright for Mr. Buttner to sign both EAF.

RESOLUTION

Rudy Kobelia motioned to declare a negative declaration for the Best Deck Sign Variance Special Permit request and Bill Underwood seconded the motion. Motion carried, vote was Rudy Kobelia (aye), Bill Underwood (aye) Bob Lieber (aye) and dan

O'Shea (aye).

RESOLUTION

Bill Underwood motioned to approve the requested Best Deck area variance and Special permit for the 4 silos and Bob Lieber seconded the motion.

FINDINGS; The proposed Special permit and area variance,

Whereas; Is appropriate for the particular lot and area and will not conflict with allowed uses.

Whereas; Is in compliance with all the other applicable sections of the Zoning Ordinance.

Whereas: Is physically and visually compatible with the general neighborhood.

Whereas; Adequate space for off street parking not considered

Whereas; Future expansion or revision, not considered

Whereas; Safe handling of vehicular traffic, not considered

Whereas; Safe passage for pedestrians, not considered

Whereas; Does not lead to depreciation of properties.

Whereas; Larger silos will not be a hazard to pedestrians

Whereas; A negative declaration was made by SEQR

Whereas; No undesirable changes will be produced.

Whereas ;Applicant cannot achieve by other means

Whereas; The area variance is not substantial

Whereas; The area variance will not have adverse effect on the environment
and Whereas; The alleged difficulty was not self created.

Therefore be it resolved pending favorable site plan review that the Best Deck Silo Special Permit and area variance be granted. Bill Underwood (aye), Bob Lieber (aye), Rudy Kobelia (aye) and Dan O'Shea (aye), Kay Vossler absent. Motion Carried 4-0 in favor 1 absent.

RESOLUTION

Bob Lieber motioned and Rudy Kobelia motioned to approve the Special permit for Best Deck sign pending favorable site plan review.

FINDINGS The proposed Sign

Whereas; Is appropriate for the area and will not conflict with allowed uses.

Whereas; Is in compliance with all applicable sections of the zoning ordinance

Whereas; Is physically and visually compatible with the neighborhood.

Whereas; Provides suitable transitions, not considered.

Whereas; Adequate space for parking, not considered.

Whereas; Has future plans for expansion and revisions, not considered.

Therefore be it resolved that the Best Deck special permit for signage be granted. Bob Lieber (aye), Bill Underwood (aye), Rudy Kobelia (aye) and Dan O'Shea (aye). Kay Vossler was absent. Vote was 4-0 in favor with 1 absent. Motion Carried.

NEW BUSINESS

MIGHTY MART APPLICATION

Jim Emerick and Mike Tomanocy of Mighty Mart took the floor and explained their proposed plans to construct a small gas station and convenient store with a drive thru Dunkin Doughnuts at the old SUNOCO location on NYS Rte. 281 and Currie Road. The proposal would include 17 parking spots for customers and 6 for employees, 14 fuel stations and under ground storage.

They are before the Zoning Board of appeals for a Special Use permit. They are on the March 19, schedule for the Cortland County Planning department.

RESOLUTION

Bill Underwood motioned to hold as public hearing at the April 3, 2008 ZBA meeting at 7:30 P.M. and Rudy Kobelia seconded the motion. Motion carried, vote was Rudy Kobelia (aye), Bill Underwood(aye), Bob Lieber (aye) and Dan O'Shea (aye).

Mr Buttner will get an application for site plan from Francis Casullo or Doug Staley.

RESOLUTION

To approve the minutes as written by Bill Underwood and seconded by Bob Lieber.
Motion carried vote was Bill Underwood (aye), Bob Lieber (aye), Rudy Kobelia (aye), and Dan O'Shea (aye). Kay Vossler was absent.

RESOLUTION

To adjourn by Rudy Kobelia and seconded by Bob Lieber. Motion carried, vote was Bob Lieber (aye), Rudy Kobelia (aye), Bill Underwood (aye) and Dan O'SHEA (aye). Kay Vossler was absent. Meeting closed at 8:30 P.M.

Respectfully,

Sharon Cassidy Flint