

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

Members present were; Chairman Daniel O'Shea, Bob Lieber, Kay Vossler and Bill Underwood. Rudy Kobelia was absent. Mike Shafer and Francis Casullo were also present.

Chairman O'Shea opened the meeting at 7:33 PM.

Old business

Best Deck request for 3 variances road frontage, parking spaces and area set back.

Mike Shafer reviewed the quote from Suite-Kote for the upgrade to the road. Mr. Shafer stated that Best Deck still operates in the red and can not afford that expense at this time economic hardship. Mr. Shafer stated that Scott Steve of Best Deck could not be here but the long to plan is to put in a road.

Boards concern is setting a precedent. Mr. Shafer stated that Board would not be stating a president and that each case stands alone. The road would be fully deeded to the new buyers so that they would have full use. We have a buyer as soon as we can get the Board to grant the variance and then go to Planning for the subdivision. Mr. Shafer stated that the new owners will help defray maintained of the road and then a few years down the road bring the road up to specs. Bill Underwood asked about the rail spur and the propane company. Mr. Shafer stated that the rail spur is a long way away and that the propane company goes back as far as the old Saulsbury plant.

Boards attorney Francis Casullo agrees with Mr. Shafer on the president issue but boards is not bound to grant that variance. Other issue is lot line of 60ft. If there were a road dedication there would have to be a hammer head. Concern for emergency vehicles and snow plows. Mr. Shafer stated that Best Deck plows that road and that the road is well maintained.

Mr. Casullo stated that each variance will have to be addressed separately. Chairman O'Shea stated that the Cortland County Planning Department did not have much to say about the other parking and set back variances.

## RESOLUTION

Board reviewed the road frontage variance. Bob Lieber motioned to grant the Best Deck road frontage variance and Bill Underwood seconded the motion with findings as follows:

Where as; It is a paved well traveled driveway.

Where as; the applicant has an agreement with the buyer to maintain the driveway.

Where as; the applicant does not have a solution to this situation and it is not economically feasible at this time.

Where as: The applicant has demonstrated that the cost of updating the road is not feasible at this time .

Where as; granting this variance will not produce any undesirable changes to the neighborhood or near by properties.

Where as; the benefit sought by the applicant can not be achieved in any other way other than granting a variance.

Where as: The proposed request is not substantial and the drive way is adequate with the additional use.

Where as; the proposed variance will not have an adverse effect or impact on the environmental conditions of the neighborhood .

Where as; the alleged difficulty was not self created.

Therefore let the variance be granted subject to the deeded maintenance agreement and no further extension of this specific variance as agreed too by the applicant.

Motion Granted, Bob Lieber (aye), Kay Vossler (aye), Bill Underwood (aye) and Chairman Dan O'Shea (aye). Rudy Kobelia was absent.

## RESOLUTION

Bill underwood motioned to approve the Best Deck parking variance request pursuant to site plan approval and Kay Vossler seconded the motion.

## FINDINGS

Where as: the proposed variance will not cause any undesirable changes to the character of the neighborhood or

detriment to near by properties.

Where as: The benefit to the applicant could not be achieved in any other method, feasible to the applicant to pursue, other than a variance .

Whereas: The requested variance is not substantial. Short by 12 parking spaces.

Where as: The proposed variance will not have an adverse impact or effect on the physical condition of the neighborhood.

Where as: The difficulty was not self created.

Therefore be it resolved that the Best Deck request for parking space variance be granted, Kay Vossler(aye), Bob Lieber (aye), Bill Underwood(aye) and Daniel O'Shea (aye). Rudy Kobelia was absent.

## RESOLUTION

Bob Lieber motioned to approve the Best Deck set back variance request pursuant to site plan approval and Kay Vossler seconded the motion.

## FINDINGS

Where as : the proposed variance will not produce any undesirable change to the neighborhood or detriment to the near by properties.

Where as: The benefit sought by the applicant could not be achieved by any other method other than variance.

Where as: The requested variance is not substantial.

Where as: The proposed variance will not have an adverse effect or impact on the character of the neighborhood.

Where as: The alleged difficulty was not self created.

Therefore be it resolved that the parking set back variance be granted subject to site plan approval.

Bob Lieber (aye), Kay Vossler (aye), Dan O'Shea (aye) and Bill Underwood (aye). Rudy Kobelia was absent.

## NEW BUSINESS

Rhea and Daniel Jazer of 7426 Song Lake Road would like to increase the size of their garage and expand to 2 bays.

Chairman O'Shea stated that the Zoning Board will have to hold a public hearing at their December 4, 2008 meeting and publish the notice in the Cortland Standard also the Application should be referred to Cortland County Planning Department.

## RESOLUTION

Minutes from the last Meeting August 2008 Motion to approve by Bob Lieber and seconded by Bill Underwood.

Bill Underwood (aye), Bob Lieber (aye), Kay Vossler (aye) and Dan O'Shea (aye). Rudy Kobelia was absent.

Kay Vossler motioned to adjourn and Bill Underwood seconded the motion. Bill Underwood (aye), Dan O'Shea (aye), Bob Lieber (aye) and Kay Vossler (aye). Rudy Kobelia was absent.

Meeting closed at 8:45 PM

Respectfully,

Sharon Cassidy Flint