

MINUTES OF THE ZONING BOARD – 2-7-13

Members Present: Robert Lieber, Amy Bertini, and Al Socha. Absent was Daniel O’Shea. Attorney Donald Armstrong and Wayne Davis from Mirabito were also present. The meeting was called to order at 7:40 P.M. by Robert Lieber.

The floor was given to Wayne Davis who explained that Mirabito is leasing land from neighboring Paul Bunyan and wants to install a propane bulk storage distribution tank. The purpose would be to use a fill station for their trucks. Currently, their trucks are supplying Song Mtn, Toggenburg and Tully Ag Center and bringing the propane in from Central Square. He further explained there is no danger to the aquifer and propane is non-toxic, heavier than air. Mr. Davis said he is here tonight as the Town’s zoning regulations do not speak specifically to propane storage. Al Socha asked about the consequences if something happened to the tank. Mr. Davis stated the propane would dissipate into the air. He stated it is a clean air fuel and many buses are now using it as fuel. Amy Bertini questioned if a use or area variance was needed and further questioned if Paul Bunyan should be the proper applicant. Don Armstrong suggested it might be a question of interpretation, and that typically a variance application will point to a particular regulation the applicant is asking a variance from. Mr. Davis stated there is currently a tank in Tully and also at the former Saulsbury facility. The proposed location is as at the back corner of the Bunyan lot and Mirabito would be leasing part of the property. Paul Bunyan is a retail and wholesale facility. Mr. Davis said Mirabito would not be running any retail operation at the site. Don Armstrong then said that in his opinion neither an area or use variance would be required. Mr. Davis said the tank would be fenced and protected.

Don Armstrong then stated the application may need site plan review by the Planning Board and the Town Board would be looking at any aquifer permit issues. Additionally, the sign may need to be reviewed, even though it is just branded on the tank.

Motion by Amy Bertini, seconded by Al Socha that the proposed use is allowed and no variance is needed for the use as presented. All in favor, the motion carried.

Motion to approve the minutes of the previous meeting made by Bob Lieber, seconded by Al Socha, all in favor, the motion carried. Motion to adjourn at 8:25 PM made by Al Socha, seconded by Amy Bertini, all in favor, the motion carried.

Respectfully submitted,

Mary Anne McCloskey, Secretary