

ZONING BOARD MEETING
TUESDAY – FEBRUARY 23, 2016
ZONING BOARD
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12
BINGHAMTON – NEW YORK – 13901

PRESENT: Mr. Donald Phillips, Chairman
Messrs. Doolittle, Ruston, & Waskie
Ms. Kinne & Ms. Pandich (Alternate)

ALSO PRESENT: Donald G. Walls, Esq. – Town Attorney
Jim DiMascio, Councilperson
Scott Russell, Ordinance Office

The meeting convened at 7:00 p.m. at which time Mr. Phillips called the meeting to order and welcomed the audience. Mr. Ruston read a statement which explained how the Zoning Board members are appointed, along with the Board's functions, limitations and duties. Mr. Ruston noted that the reading of this statement not only informs the audience about the Zoning Board of Appeals, but it also reminds the Board members of their responsibilities. Mr. Ruston also read the Notices of Publication for each case, which was duly published, as required by law, and as evidenced by Affidavits of Publication received and placed on file.

APPROVAL OF THE MINUTES

- Approval of the Minutes for January 26, 2016 Zoning Board Meeting.

A motion was made by Mr. Doolittle, seconded by Mrs. Kinne, to approve the Minutes of the January 26, 2016 Regular Meeting.

PUBLIC HEARING

- LUKE TOKARZ – First Baptist Church – 667 Brooks Rd. – TM#066.03-1-9.2 – Application for Triple Use Variance to allow an accessory building without a principal use, to allow an accessory structure in front of the principal use and to allow a sandbag business in an agricultural zone and Area Variance for less than required road frontage from 240' to 208'.

Mr. Walls conducted the Public Hearing.

Mr. Walls – You are asking for three Use Variances and one Area Variance. Let's discuss the commercial in an agricultural zone. Please give us a summary of the type of business you are operating, where it's conducted, and so forth. Are you in operation now?

Mr. Tokarz – No.

Mr. Walls – You do own the property – you've closed on it?

Mr. Tokarz – Yes. The business is a sandbag business. Purchase sand from a local quarry. Put it in bags; which are usually 40/50 pounds, stack them in a tote; which is pallet size about 4' tall, stack bags in that, stockpile them, move them around with a backhoe. They are then loaded on a truck and shipped out. Right now he uses a hopper bin, sand loaded into the hopper by the backhoe, there is a chute on it, once pulled it takes the sand and loads it into the bags. Once bag is filled it goes down a conveyor belt then a stitching machine sews the bag then it goes up an incline conveyor which is placed in a super sack and tied shut. His plan is to put the operation inside the barn to keep it out of the weather as well as stock pile the sand; which can be 50 to 60 tons inside of the barn to keep it dry.

Mr. Walls – Until the barn is constructed will you operate outside?

Mr. Tokarz – He would like to until the barn is built depending on the timeframe.

Mr. Walls – You will be using various types of machinery – backhoe, loader.

Mr. Tokarz – Basically a tractor which has a loader bucket on the front. Has a bolt on fork to move the sacks around so just one piece of equipment.

Mr. Walls – What is the construction schedule regarding the barn.

Mr. Tokarz – Would like to start as soon as possible depending on approval tonight he'd submit for a building permit.

Mr. Walls – Estimated completion date.

Mr. Tokarz – Proposed for December of 2016 depending on the weather but would like to get it up as soon as possible.

Mr. Walls – Until that time you will be running machinery outside, will have trucks coming in and will be storing material outside?

Mr. Tokarz – Yes.

Mr. Walls – How about the noise factor? You are in a semi residential area.

Mr. Tokarz – No louder than the farmer doing the corn next door. It's a 75hp tractor not loud at all.

Mr. Walls – The dimensions of the barn.

Mr. Tokarz – The main structure is 40' x 40'. It has two 16' lean-tos on each side, has 16' ceiling in the main part and goes down to a 10' ceiling on the lean-tos.

Mr. Walls – The location is on the corner of Brooks and Route 11. You have two entrances to the property – one from Route 11 and the other from Brooks Rd. Is that correct?

Mr. Tokarz – Yes.

Mr. Walls – The house would have access from Brooks Rd.?

Mr. Tokarz – Yes.

Mr. Walls – When are you going to build the house?

Mr. Tokarz – Start that as soon as possible. Proposed schedule starting this year ending next year, so as soon as they can get a building permit in.

Mr. Walls – You are definitely going to build a house. They have been stung before – people apply for a commercial operation and change their mind and walk away.

Mr. Tokarz – 100% plan on building a house. Wants to live there and operate his business.

Mr. Walls – Asking for a variance to locate the barn in front of the residence so assume that's because you have two fronts.

Mr. Tokarz – Correct.

Mr. Walls – No matter where you place it it's going to be in that position?

Mr. Tokarz – Pretty much yes.

Mr. Walls – The other variance you are asking for is an area variance. On Brooks Rd. you only have 208' access and the ordinance requires 240'. Any possibility you can buy property to expand?

Mr. Tokarz – Can explore that option, but right now trying to figure this out first.

Mr. Walls – Anything else you'd like to tell the Board?

Mr. Tokarz – Appreciate the opportunity to speak to the Board. Really like the Castle Creek area and would love to build his house here and operate his business.

Pastor Hedwig – Representing the church – They are not the owners as they have sold to Mr. Tokarz. They have no objection with the project.

Mr. Mike Lumsden, 308 East Hill Rd. – He was in a position like this years ago when he moved here. He started a business in a residential zone and it's still here today 31 years later. The Board gave him an opportunity and he hopes they will find a way to work with this young couple. Need young people in our area to contribute to our town, and to our schools.

Mr. Eric Johnson, 1006 Castle Creek Rd. – Have been to a couple of these meetings related to his property but never on this side before. Does have issues about what is being proposed. First this seems to be retroactive, cart before the horse, because for the last three months the sandbag activity has taken place. He views this as disrespect for the neighborhood, disregard for the Town of Chenango by both the current and former owner. Must consider these past actions in review of these variance requests and why they occurred. Pretty obvious that government approval is necessary for any of these things to take on and to blatantly disregard them doesn't speak well. Have been told that Mr. Tokarz works full time, planning to build a pole barn, a house, and run this business all at the same time all by himself. He was young and ambitious at one time but this seems to be a little beyond that.

Concerned since all the activity will take place especially the business as nights and weekends seem to be only when this can occur. Specifically at 8:00 on Groundhog Day he could hear whatever was going on down there in the dark, couldn't see what was happening, inside his house. This is all over the noise of Rte. 81 – lived with for thirty years. Speaking of noise he's the guy driving the tractor. Can't compare it to the activities he's engaged in because he's in an agricultural district. He's carrying on recognized agricultural practices which are protected by NYS Ag & Markets Right to Farm Law. So you have to consider any noise issues like it was in each of your back yards.

Other concerns – there was a house on the property that's been removed. That's great but now we have the prospect of looking at an uncompleted building. One of the Planning Board members expressed concerns that there were similar incidents where somebody had started and all that ended up being there were an array of poles that the neighbors had to look at.

Concerned he has a neighbor that lives in front of him and who lives directly across from Rte. 11 he's visiting his daughter and can't be here. He expressed concern in the fall when all the other activity was going on. Didn't know why this was being allowed. Feel sorry for him as he's not able to express his concerns.

Also wants to stress that this is an Ag. District. He thinks Mrs. Kinne knows what that is – it's to help promote and maintain agriculture land and from his experience the Tow of Chenango has

very little interest in doing this. Also wonders if anyone paid taxes on this property in the past few years. The previous owner never lived up to their plans for the property and flipped it for a nice profit. Was wondering if anyone in the Town of Chenango was concerned about it.

Mr. Walls – Are you reading from a record?

Mr. Johnson – Just notes.

Mr. Walls – Mr. Tokarz just a few more questions. When you are in peak operation how many deliveries do you expect at the property.

Mr. Tokarz – Presented to the Board that there would be a total estimate of 50 loads in/out for the year; which would be 25 loads of sand in and 25 loads of completed bags trucked out. That would be a total of 50 in the year; which would average one a week.

Mr. Walls – What will be your hours of operation.

Mr. Tokarz – Does not have set hours. Works full time – evenings and weekends are usually when he has time to do it.

Mr. Walls – When the pole barn is up and in operation are you going to have any advertising signs? Is it going to be illuminated?

Mr. Tokarz – He has proposed to put a sign out and no it would not be lighted. It would be on the street not on the building.

Mr. Walls – That is most of his questions. Anything else you'd like to tell the Board?

Mr. Tokarz – Would like to let everyone know the complaints that are being voiced are coming from someone who farmed the property. Equipment was stored there and he had the chance to purchase the property just like everyone in the room did. For sale for a long time and couldn't agree on a price so he bought the property. Feels a lot of this is coming from that.

Mr. Walls – Asked if anyone else would like to comment on this application.

Mr. Bush – 649 Brooks Rd. – He can hear the operation and it doesn't bother him one bit because like Mr. Lumsden said it's nice to see someone actually doing something around there. He doesn't have any issues with this and as far as the hours of operation it's not that loud. Even with the windows open or standing outside you might hear equipment a little bit. He works on a lot of construction sites and knows what loud equipment is. This doesn't come close to it.

Mr. Burke – 1021 Castle Creek Rd. – Was wondering – he didn't hear any information on the environmental impact of this. Is it silicon sand? Is this what the material is?

Mr. Walls – Has it been to the Environmental Review Board. Not sure it's required to go to the Environmental Review Board.

Mr. Burke – What is the use of the sand? Sandbagging for flood mitigation?

Mr. Tokarz – Yes it can be for flood mitigation, pipeline companies, highway companies, used to hold construction signs down, and/ or under bedding of pipes.

Mr. Walls closed the Public Hearing.

Mr. Russell, Ordinance Office is not in support of the approval of Sandbags Unlimited Northeast due to the opinion that the criteria required to grant a use variance are not being met and Broome County's recommended denial. Feel that the character of the neighborhood will be altered and that the alleged hardship was self-created by purchasing the property prior to applying for the variance.

Mr. Phillips read the following correspondence.

Town Planning recommends a favorable advisory for the following –

- Use Variance to allow accessory building without a principal use.
- Use Variance to allow an accessory building in front of the principal use.
- Area Variance for less than required road frontage from 240' to 208'

The Use Variance for the sandbag business they recommend a favorable advisory contingent upon the Zoning Board approval with the stipulation they return to the Planning Board for site plan review prior to any work being done.

Urda Engineer recommends the following comments be addressed –

1. Pursuant to Sect. 73-23 C Variances, for consideration of granting of the variances the applicant will need to clarify to the Board the following such that the "hardship" is no solely self-inflicted:
 - a. What special circumstances or conditions specific to this parcel/location create the need for the variances Sect. 72-23 C (2) (a)
 - b. With the residence planned to follow pending weather conditions, the board might consider stipulating a timeframe during which the primary structure must begin to be constructed or the variance for the accessory with no primary structure is revoked.
 - c. It is not uncommon for corner lots to have difficulty putting the accessory building behind the principal structure. The lot is large and can sustain the two structures as positioned with minimal adverse impact.
 - d. The Planning Board should consider reviewing the business aspect of the plan through Site Plan approval, including any conditions for outdoor storage, parking, truck access, stormwater controls/permits, etc. This may impact SEQR lead agency.

- e. As a corner lot, per code section 62-3B(7) the lot frontage is based on the lesser of the two faces on a corner lot, or the face that the occupied structure on said lot faces.
- f. In this instance this is Brooks Rd. at 208 feet. It is noted that lesser frontages exist within the surrounding area and similar zoning district.
2. The applicant shall apply for a building permit.
3. Signage, as noted in the application, shall be preapproved by the Code Office prior to installation.
4. As a business, parking must be provided per code at a rate of 1 stall/250 SF of the pole barn gross floor area. Depending on the applicant's need, consideration could be given to a reduced amount of parking. The applicant shall assure that they provide and maintain the ADA accessible parking spaces, aisles, access routes, markings, slopes, and signage in accordance with ICC/ANSI, A117.1, 2009 (or latest revision) and the 2010 Building Code of the State of New York, Chapter 11 (or latest revision).
5. The applicant shall refer to Code Sect. 57B on stormwater. The development and total project ground disturbance area, including the business area and future house at full buildout (pole barn, access drives, parking, misc. grading, etc.) shall remain under 1 are or a SPDES General Permit for Stormwater Discharges for Construction Activity.
6. Consideration should be given to stipulating that the variance not carry with the land upon sale of the property such that the business and house are not split without prior Town approval via variance review/request.
7. The application is subject to Broome County 239 review which was received and resulted in a recommendation for "denial" thereby requiring a supermajority vote of the ZBA.

Should the above noted comments be addressed satisfactorily, a favorable advisory is recommended.

Broome County Planning has reviewed the above cited case and recommend denial because the proposed project is not compatible with the essential character of the surrounding neighborhood as outlined below –

- The immediate surrounding area is characterized by a rural agricultural and low-density residential land uses.
- The proposed project is not consistent with the uses allowed in the existing Agricultural zoning district.
- This project site and area does not contain public water or public sewer.

NYSDOT has reviewed the Area Variance for the above referenced location and have the following comments –

- If any work is proposed within the state right-of-way, an approved Highway Work Permit is required prior to beginning such work.
- Noting is to be placed within the state right-of-way including signs, parking etc.

BMTS – has no issues with site access or traffic impact.

Broome County DPW Engineer – Has reviewed the above cited case and have the following comments –

- Although they question whether a sandbag business should be classified as an “accessory use” to a residential home, the only issue of direct concern to DPW is impact of the proposed use to County infrastructure. The application indicates that the property owner intends to utilize an existing field entrance driveway from Brooks Rd. as access to future development of a residential home site (and that the sandbag business will be accessed from a driveway off of Route 11).
- Although the location of this existing field entrance driveway is not of concern to the County, design standards for a residential driveway versus a field entrance are different, and it is important for this applicant to obtain a County driveway permit from the DPW-Highway Division to assure that minimum criteria is being met and that appropriate drainage along Brooks Rd. is being maintained.
- The DPW – Engineering Division does not have any additional comments pertaining to the proposed use and variances requesting for development.

Broome County Health wants to know if the proposed operation will use petroleum (heating fuel, motor fuel, etc.) or other chemicals in its processes.

Petition from applicant of neighbors in support of his project.

Mr. Phillips – Any general questions from the Board?

Mr. Waskie – Would like to understand the business – the hopper and the conveyor system do they run electronically or are they gas?

Mr. Tokarz – The hopper bin works on gravity so the sand goes in falls down and the conveyors are all electric.

Mr. Waskie – If his math is right 2,000 pounds per ton. If it’s 40 pounds per bag about 50 bags how long does it take you to get 50 bags?

Mr. Tokarz – Quite a bit of time anywhere from a minute or two per bag.

Mr. Waskie – How many big white bags go on a trailer?

Mr. Tokarz – anywhere from 18 to 20 bags.

Mr. Waskie – Do you intend to have any employees?

Mr. Tokarz – Not at this time.

Mr. Waskie – How about day labor contract labor you get work for a couple of hours.

Mr. Tokarz – Have not explored that option at this time and he has no plans for any employees.

Mr. Waskie – The only equipment you have is a backhoe with a backup beeper.

Mr. Tokarz – No backup beeper on it.

Mr. Waskie – The other thing he'd look at is egress – it's basically grass and muck and all that. How will you handle dust control and whatever because some of our springs can be wet.

Mr. Tokarz – The sand is cleaned washed highway sand from Tri City's Highway Products in Greene, NY. So it actually comes in moist and it will hold moisture as that's the way it's designed. It seals off from water and creates a nice pond. The top surface will dry out from sunlight but a couple of inches into the pile it's very moist. The sand is covered with a tarp once delivered.

Mr. Doolittle – Assuming that once the pole barn is up the truck delivery with the sand comes in; it's inside the building you are loading/unloading what have you will be inside the building – it won't be outside at all. That should cut down the noise and inconvenience to the neighbors.

Mr. Tokarz – All the sandbagging and everything is inside the barn. The roof on the barn is not tall enough to dump a truck in it. Have to dump the load outside then use the loader bucket to bring the sand inside the building.

Mr. Doolittle – This won't occur until December.

Mr. Tokarz – Correct.

NEW BUSINESS

- BRANDON BENJAMIN – 4 Maye St. – TM#095.14-2-29 – Application for a Use Variance to place a double wide on the parcel & an Area Variance for less than required road frontage from 100' to 50'.

Mr. Russell – The Ordinance Office finds this application to be complete and recommends the Zoning Board accepts and schedules a Public Hearing for March 22, 2016.

A motion was made by Mr. Ruston, seconded by Mr. Doolittle, to accept this application for a Use Variance to place a double wide on the parcel and an Area Variance for less than required road frontage from 100' to 50'.

ROLL CALL: AYES – 5 NAYS – 0

A motion was made by Mr. Ruston, seconded by Mrs. Kinne, to accept this application for a an Area Variance for less than required road frontage from 100' to 50'.

ROLL CALL: AYES – 5 NAYS – 0

- FIRST UKRAINIAN PENTECOSTAL CHURCH – Yaroslav Karnauch – Application for a Triple Area Variance to allow a third accessory structure (detached garage), to exceed the maximum square footage allowed from 725' to 1140' & to exceed the maximum height from 16' to 21'-6.5".

Mr. Russell – The Ordinance Office finds this application to be complete and recommends the Zoning Board accepts and schedules a Public Hearing for March 22, 2016.

A motion was made by Mrs. Kinne, seconded by Mr. Doolittle to accept this application for a Triple Area Variance to allow a third accessory structure (detached garage), to exceed the maximum square footage allowed from 725' to 1140' & to exceed the maximum height from 16' to 21'-6.5".

ROLL CALL: AYES – 5 NAYS – 0

Mr. Phillips – Went to New York City for the Association of Towns Training Seminar. Went to several classes totaling nine hours. He brought back some information to share with the Board. The one class he went to which was interesting was entitled Pluto, Mars, and Venus where do our town officials come from,

VOTES ON PUBLIC HEARING

- LUKE TOKARZ – First Baptist Church – 667 Brooks Rd. – TM#066.03-1-9.2 – Application for Triple Use Variance to allow an accessory building without a principal use, to allow an accessory structure in front of the principal use and to allow a sandbag business in an agricultural zone and Area Variance for less than required road frontage from 240' to 208'.

A motion was made by Mr. Doolittle, seconded by Mr. Ruston, to approve the Use Variance to allow a sandbag business in an agricultural zone.

Ms. Kinne – She will recuse herself from voting on this application.

Mr. Phillips – Aleta brought the possibility of a problem to the Board so she will recuse herself and Ms. Pandich will be a voting member. Would like Aleta to please add any input to our discussion because it is one of the difficult ones. He was at Luke’s site three different times and he does have a little problem with him saying there is nothing going on there. He has seen where it was a full blown operation to a trailer being removed and today there’s more activity. Very difficult situation and he does appreciate Aleta recusing herself. Also because of the negative advisories Broome County as well as the Ordinance Office this Board is going to have to vote super majority. To approve this everyone would have to vote yes.

Ms. Kinne – Some confusion with regards to this being a corner lot. The Hawkes own the parcel that’s on the corner of Brooks Rd. and Route 11. This parcel is “L” shaped not a corner lot. Just clarifying some wording.

Mr. Hawkes – His parcel is on the corner of Route 11 and Brooks Rd. where the blue house sits. If he needs more room on Brooks Rd. he’s willing to sell some property towards his house.

Mr. Phillips – Currently the motion is discussing the sandbag business (commercial) in an Agricultural zone. That’s for Luke’s consideration not the Boards consideration at this point. We are all trying to help this young man do his thing and keep the neighborhood and our zoning ordinance intact.

Mr. Waskie – Can we say if we do grant the variance that this Use Variance (sandbag business) terminates upon transference of ownership.

Mr. Phillips – That’s definitely something that’s going in the motion but let’s discuss this further.

Mr. Waskie – He’s torn because if someone wanted to put in a chicken ranch or pig farm they could.

Mr. Phillips – Mr. Lumsden has purchased property and has made a success. As we all know we’ve gotten burned before. As chairman of this Board he’s not getting burned again. Would like to see and this is subject for discussion, would like to see a building permit before the business starts – a vested interest. Not that we’re going to grant a commercial license in an agricultural zone and there’s not even a building permit for a house that might happen in 2017 or 2018. There is no guarantee except Luke’s good faith.

Mr. Doolittle – If the whole thought of the operation ceases before December we’re sitting there with a variance to put a business on a parcel.

Mr. Phillips – Wants to see some ownership that he’s going to be there and living there.

Mr. Waskie – So what would be the ownership? Just getting a building permit? A building permit is good for one year.

Mr. Russell – Building permit is good for a year but can be extended.

Mr. Waskie – The question is can the house come before the pole barn.

Mr. Phillips – Luke can the house come before the pole barn. You are already running the operation – part time. Can the house be built so there is ownership?

Mr. Tokarz – Is there some way to come to an agreement as long as the house is started the variance would be approved?

Mr. Waskie – If the variance is granted he'll operate the business outside whether the pole barn is there or not. So the house comes first – can run the business outside until the pole barn is built so that gives him the ownership.

Mr. Phillips – That alleviates the many questions about the noise and anything else as they are living there. He's afraid he's going to vote this down.

Mr. Lumsden – He has a variance to run Plastics Plus and that was to be run inside the building. If he sells it or moves the variance is over and then it will be a residential barn. The point is if he puts something there (pole barn) he's investing already if for some reason he backs out then there's a pole barn. There are people around here that would buy the property. We all had an opportunity to buy the property – he looked at it. The worst thing that happens is we have a pole barn.

Mr. Phillips – He's going to vote no which is going to kill the whole thing.

Mr. Doolittle – He's going to vote yes. Just don't want a half built pole barn and he walks away.

Mr. Phillips – The first consideration is commercial in an agricultural zone.

Ms. Pandich – Yes.

Mr. Doolittle – Yes.

Mr. Waskie – Yes.

Mr. Ruston – Yes.

Mr. Walls – Is this an official roll call?

Mr. Phillips – No just polling. He's going to vote no. Doesn't like how it is set up and.....

Mr. Ruston – Wants to have some ownership in it. Thinks it's right in doing that, but to do it the

house or the pole barn needs to be there before he starts the operation. Doesn't care what it is house or the pole barn.

Mr. Phillips – Like Mr. Lumsden was saying that there is an investment a building.

Mr. Doolittle – That he won't back out on.

Mr. Phillips – Luke to get his “yes” vote he needs to build the building before he starts the operation. Do you agree to that?

Mr. Tokarz – Yes sir.

Mr. Phillips – Need to make that a stipulation then he'll vote yes to that. Protecting the Town.

Mr. Ruston – Let's get the wording into the motion – would like it to be concise.

Mr. Phillips – That no commercial operation will begin until commercial structure (barn) is completed (C.O.). That gives our ordinance Office some teeth – wouldn't you say Mr. Russell?

Mr. Russell – Yes sir.

Mr. Ruston – We also want something in there that says with a change in ownership it terminates the variance.

An amended motion was made by Mr. Doolittle, seconded by Mr. Ruston, to approve the Use Variance to allow a sandbag business in an agricultural zone was approved with the following conditions –

1. No commercial operation of sandbag business until the commercial structure (pole barn) has been completed and certificate of occupancy has been issued by the Ordinance Office.
2. Use Variance for the sandbag business (commercial use) terminates upon transference of the property.
3. Site Plan must be submitted to the Planning Board for approval.

ROLL CALL: AYES – 5 NAYS – 0 RECUSE – 1

A motion was made by Mr. Doolittle, seconded by Mr. Ruston to approve the Use Variance to allow an accessory building without a principal use.

ROLL CALL: AYES – 5 NAYS – 0 RECUSE – 1

Mr. Waskie – There was a recommendation from the Planning Board with favorable advisory contingent upon Zoning Board approval with the stipulation they return to the Planning Board

for site plan review prior to any work being done. Would that be before he gets the building permit?

Mr. Doolittle – Is there enough information in the application that was provided that shows where buildings are to be located that can be considered his site plan?

Mr. Phillips – Could consider a tentative site plan.....

Mr. Russell – Before he can even conduct business he will need to file paperwork for site plan review with the Planning Board – site plan – letter of intent....

Mr. Phillips – Back to Mr. Waskie’s question – can he build before Planning Board approval?

Mr. Walls – Yes, but this motion is simple – It’s giving him permission to build the pole barn before he builds the house.

A motion was made by Mr. Doolittle, seconded by Mr. Ruston to approve the Use Variance to allow an accessory structure in front of the principal use was approved.

ROLL CALL: AYES – 5 NAYS – 0 RECUSE – 1

Mr. Phillips – Mr. Russell would you recommend Mr. Tokarz ask Mr. Hawkes to sell extra frontage?

Mr. Russell – Doesn’t matter.

Mr. Doolittle – When do we take up signs and lights?

Mr. Phillips – That’s site plan review with the Planning Board.

A motion was made by Mr. Doolittle, seconded by Mr. Ruston to approve the Area Variance for less than required road frontage from 240’ to 208’.

ROLL CALL: AYES – 5 NAYS – 0 RECUSE – 1

Mr. Doolittle – Does Mr. Kwartler need to be notified regarding the roads coming in/out of Brooks Rd.?

Mr. Russell – One of the roads is State owned and the other is a County road. Neither of them are town roads.

Mr. Phillips – There is a letter from DOT stating that any means of egress on Route 11 needs to be approved.

ADJOURNMENT

There being no further business before the Board, a motion was made by Mr. Waskie and seconded by Mr. Ruston to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

Nancy Schnurbusch,
Recording Secretary