

ZONING BOARD MEETING  
TUESDAY – JANUARY 26, 2021  
ZONING BOARD OF APPEALS  
7:00 P.M. – TOWN HALL (ZOOM)  
1529 NY RTE 12  
BINGHAMTON, NY 13901

Present: James Brewster, Chairperson  
Aleta Kinne, Board Member  
Scott Smith, Board Member  
Melanie Pandich, Board Member  
Thomas Eldridge, Board Member

Also Present: Nicholas Cortese, Attorney  
Jim DiMascio, Councilperson  
Gavin Stiles, Ordinance Officer  
Kathleen Rudy, Deputy Town Clerk, Interim Stenographer

James Brewster: The hour being 7:01 PM, January 26th. I will call the Town of Chenango Zoning Board of Appeals meeting to order and ask that Kathy, could you please call roll of the Board for us.

Kathleen Rudy: Mr. Eldridge; present, Mr. Smith; present, Mrs. Pandich; present, Mrs. Kinne, present, Mr. Brewster; present.

James Brewster: With the roll, it appears as though the Board has a quorum and therefore, I'll read the following into record. I, James Brewster, chairman of the Town of Chenango Zoning Board of Appeals, have confirmed with the Counsel that this meeting is being held via ZOOM Virtual Software in accordance with the Governor's Executive Order 202.1 and 202.15 which has been extended by executive order 202.87. Tonight's meeting is being recorded and will be transcribed at a later date.

First order of business, he would like to welcome everyone to the New Year of 2021 to the Zoning Board of Appeals. Tonight, there is a rather short agenda with no public hearings, just new business. For new business, new applications are presented to the ZBA and fall under the routine administrative function of the board and are not open for public comment at the time. Members will evaluate the application for completeness and relevance and accept the application or deny it, refer it to the Town Planning Board for review and recommendation and schedule it for a future public hearing. Questions and comments regarding the details of an application should be brought forth at the scheduled ZBA public hearing.

Next order of business is to approve our November 24, 2020 Zoning Board Minutes. He will present the minutes, or some sort of action as acceptable, if it is very obvious that it will be approved. If you are silent, then the motion will pass, if you object, please state object and then we will make note of your minutes and we will have a formal motion to approve. Mr. Brewster would like

to make a statement to the effect of the minutes of November 24, 2020 may be approved as written, any objections or any questions?

Hearing nothing the November 24, 2020 Meeting Minutes are approved as written.

NEW BUSINESS:

James Brewster: Application 2021-V01 Tyler & Heather Kolb of 23 Aitchison Road, Tax map # 110.12-1-18 – Application for an area variance to create a buildable lot with less than required acreage from 2 acres to 1.9 acres in an Agricultural Zone & short EAF.

James Brewster: Mr. & Mrs. Kolb are present; Board Members are there any questions for the applicants?

Aleta Kinne: Stated there is a meeting date typo on the application stating the 23<sup>rd</sup> to accept the application and tonight is the 26<sup>th</sup>.

James Brewster: He will have Diane make the change. Thank you.

Aleta Kinne: Would like to ask the Kolb's; how long have you owned this piece of property?

Tyler Kolb: Purchased it in December 2016, and closed in January of 2017.

Aleta Kinne: So that wasn't the person who owns the property now?

Tyler Kolb: No

Mr. Brewster: On page 3 of the SEQR form there are some boxes that are not checked off, so that will have to be done before the Public Hearing.

Heather Kolb: She did fill that out with Diane's help, but we were unsure of what to mark for that so she said to leave it blank.

James Brewster: Ok, we will let it go through the Planning Board, but it will depend on the Board's decision on that. But, we would like to have everything checked off. If you need help with it, there is plenty of documentation out there, we can not help you with it, but there is documentation through the State that the Ordinance Department can look up and maybe help you with that. If no further questions, he would like to seek a motion to determine if the application is complete and ready to move forward to referral to the Planning Board and scheduling for a public hearing in February.

A motion was made by Thomas Eldridge to move Application 2021-V01 forward to the Planning Board, seconded by Scott Smith carried by the following roll call vote:

Thomas Eldridge, Board Member	Voted ___Aye___
Scott Smith, Board Member	Voted ___Aye___
Melonie Pandich, Board Member	Voted ___Aye___
Aleta Kinne, Vice Chairperson	Voted ___Aye___
James Brewster, Chairperson	Voted ___Aye___

The motion was thereupon declared adopted by a roll call of:

Ayes – 5            Nays – 0

James Brewster:            That concludes our new business for tonight and that's it for the agenda. Mr. DiMascio would you like to say anything to your new board?

Jim DiMascio:            Thank you all for your civic duty. There is a big change though, this year that the Town Board made this past December, as far as how we operate. As you are all aware and even for our new applicants; every two years, we as Town Board Members, switch relationships or as we call liaisons to different boards. Actually, when I started on the Town Council, I was liaison to the Zoning Board, six years ago, and it is my turn again to be your liaison. But we are making one big change; in the past the liaison had always attended the board meetings, this is actually going to go for both the Zoning Board and the Planning Board. Based on my experience six years ago, and based on some of the feed back we are getting from the community, the Zoning Board of Appeals and the Planning Board should both be autonomous bodies of the Town of Chenango. You are duly sworn in as officials on your respective Boards and by autonomous authority beyond the Town of Chenango Council. With that being said, we made the decision that Board Members will no longer need to participate on a monthly basis. It's not that we don't care or are not willing to be involved, but you folks are an autonomous body and you don't need to be baby-sat nor do you need to be watched. What my role going forward, and it will be the same for the liaison to the Planning Board, is really to work with the chairperson in respect to if you have questions. If there are more specific details as far as function or even where we meet or if you need to meet in public, etc., that is our new role, is to be here to assist but not necessarily to be as actively involved as in the past. We are going to see how this goes this year. It is definitely new. It breaks our current tradition which we have done for a while but is something that we think is appropriate at this time and place. If there are any questions, I would be glad to answer them.

Hearing nothing Jim thanked the Board for their civic duties and wished everyone a Happy New Year.

Aleta Kinne:            The Zoning Review Committee, that she is on representing the Board, she would like to mention it before Jim leaves because he can back her up a little. They met first in November or October, at the Ordinance Department's request, the first thing that was tackled was charging stations, quite a lot of controversy about that and work on it and get it sent up to the board, next we did the shed, which was a request from this Board, that she doesn't believe has gone through the board yet, but they are recommending changing shed size to 300 sq. feet and allowing two on a property and it's 30% of the area. There have been questions about property size and size of the building, but carports and garages are being left as is for now. Then they worked on SWPPP trying to make that equal in the Town. Ordinance worked on that and they are coming up with a flat fee for that to make it equal for everyone and they talked briefly about the cell tower and decided, it was recommended that no changes, just tightening up the application a little bit. Not sure when they are meeting again because of some changes with the Town Board taking the night that we were scheduled but

they will be talking about the Front Street corridor, John has some problems along there that he would like to have them discuss.

James Brewster: Thanked Aleta for her update, he knows it's a lot of work.

Jim DiMascio: Agreed with Aleta, to this Board's duties and to the new committee's hard work it was presented to the Town Board (talking about the electric stations for the electric cars), it was submitted to the board and there was great discussion about it and it did get approved, it passed and we have already had the SWPPP and the change in the zoning for sheds presented to the Board for review and our determination, and that is going to continue and he is sure it will be brought to a vote in the very near future. Then again allowing that committee to then focus on the Route 12 corridor as they were requested. They are doing great work and it has been a big help to the town overall.

James Brewster: Has a request for the Town Board, if we could have an e-mail heads up or a flag as to when these changes are approved.

Aleta Kinne: That is being talked about and that it will be discussed with Planning and Zoning before it goes into a resolution.

James Brewster: Even if it doesn't happen in that way can we just get like an advance copy of the actually finally approved resolution? We would have it for like an addendum to all of the rules that we have to reference when an application comes in.

Jim DiMascio: That is definitely appropriate and he will make sure that happens and take on that role as your liaison.

James Brewster: With no further business, it looks like we can adjourn. If you have any objections, please speak up, if not, remain silent and we will adjourn.

James Brewster: Hearing nothing, this meeting is adjourned. (7:23 P.M.)

Sincerely,

Kathleen A. Rudy, Deputy Town Clerk  
Interim ZBA Stenographer