

ZBA Monthly Meeting 12/19/11

Roll Call:

Betty Prohonic	present
Jennie Cipperly	present
David Milano	present
Norm Wiley	present
Kristina Hallenbeck	absent

Also present:

Brett Crandall
Paul Miller

Mayor Keegan swears in Jennie Cipperly, Betty Prohonic, Norm Wiley and David Milano as renewed ZBA members and Barbara Milano as renewed Planning Board member.

Betty opens the Meeting at 7:10 PM.

Mr. Crandall and Mr. Miller are here tonight as they haven't heard the outcome of Mr. Chartrand's application for variance to run a brewery business. Betty informs his application was denied. Dave advises that Mr. Chartrand can brew for his own private use at home and that if they should see something, they should talk with the Building Inspector, Glenn Hebert. Mr. Crandall advises Mr. Chartrand cannot brew near a school. Jennie says for him to call the State Liquor Authority if he is noticing any activity or odors. Mr. Crandall says he saw activity, heard kettles banging and smelled odors over the Thanksgiving weekend.

Old Business:

Norm makes a motion to approved the November 21, 2011 minutes and Jennie seconds the motion.

New Business:

Betty informs she got a call from Tad Johnston from the Planning Board tonight and he has not had his letter revised. Dave asks if the bottom line is if site plan review is necessary for everything? Dave recalls a certificate of compliance for change in usage. Glenn Hebert had said have to go to site plan review. The Planning Board's view is no they do not. Glenn had disagreed with that and said it is the intent of the code. Dave says this was according to Article 8 Certificate of Compliance on page 210-66 of the Handbook.

Mayor Keegan shares that the issues to address is if there is something in the Handbook. A nonconforming use is illegal use. When the property changes hands, one is no longer allowed to do illegal activity. The Planning Board should clarify in ruling and might want to qualify if the matter certifies as intended use.

Betty says it would be helpful to get Glenn's perspective and the Planning Board's letter rewritten. Dave says he would like to see a shorter version of what is required for site plan review.

Jennie asks if this interferes with owner's ability to do business? Norm answers no, Dave's Auto has been doing business for several months now.

Dave reads aloud Appendix Uses - Permitted Use with caviat's. Appendix I - Gasoline Station. Permitted use is subject to standards and site plan review.

In the Planning Board's letter, the Dave's Auto sign is not conforming. Again, what is the intent of code? The clock may be reset with change of ownership.

Dave says if the Planning Board gave their blessing on this, there is no recourse for us to go back on it. Dave suggests to recommend to the Village Board to make rules and process less rigid for site plan review.

Norm asks can we, with the discretion of the Building Officer, determine if full site plan review is recommended and ask the Village Board to change the process?

Norms asks is this an area where we would get a lawyer?

Dave makes a motion to wait until our next meeting to see what information comes forth and at that time, if we need to consult with a lawyer, we will. Betsy says we also need to get more solid input from Glenn Hebert. Norm seconds the motion.

There being no more business, Norm makes a motion to close the meeting and Dave seconds the motion. The meeting was closed at 8:25 PM.

The next scheduled meeting is scheduled on January 17, 2012 at 7 PM.

Respectfully submitted,

Helen Barrington, Secretary