

Walt Russell, Chairman of the Town of Peru Zoning Board of Appeals, called the meeting of April 16, 2008 to order at 7:00 pm

ROLL CALL:

WALTER RUSSELL, CHAIRMAN	: Present
MIKE FARRELL, VICE CHAIRMAN	: Present
ROB BASHAW	: Present
LEON BLAIR	: Present
FRANK DENCHICK	: Present
TOM FUSCO	: Present
ROY ZALIS	: Absent
JAMES FALVO (ALT)	: Present
ATTY. THOMAS MURNANE	: Excused
CEO. PAUL BLAINE	: Present

APPROVAL OF JANUARY MINUTES:

MOTION: Mr. Bashaw made a motion to approve the January minutes. Second by Mr. Fusco.

ALL SO MOVED.

MOTION CARRIED

APPROVAL OF MARCH MINUTES:

Mr. Bashaw stated that he had a question regarding the issue with alternate and primary and that he did not see that in the minutes. Mr. Bashaw stated that the issue had come up about Mr. Falvo being the alternate. Mr. Russell said that the Town Supervisor had to check the minutes of the Town meeting. Mr. Russell stated that he thought that the motion went through with James Falvo as primary and Tom Fusco would be secondary. Mr. Blaine stated that this issue had been brought up a number of times and that his understanding is there was a recommendation made to the Town Board, the Town Board acted on it and Mr. Falvo was given the alternate position. Mr. Russell stated that, that was not the way that he heard that he heard it the opposite way and the Supervisor was supposed to find which way it was by the April 16, 2008 ZBA meeting. Mr. Blaine stated that he would add the discussion of the alternate position.

MOTION:

Mr. Fusco moved for approval with the change. Second by Mr. Falvo.

ALL SO MOVED.

MOTION CARRIED.

**Zoning Board of Appeals
April 16, 2008**

PUBLIC HEARING:

- 1. APPLICATION:** RICHARD LAJTI
Requesting an Area Variance Prior to a Subdivision at 156 Jabez Allen Rd.

Mr. Blaine stated that he noticed that the application had been placed on the agenda for the Planning Board and after reviewing the project; he noticed that there were several problems as the application was proposed. He noticed that there was not enough area originally laid out in parcel number 1 for the RL zone that it was located in, there were problems with setbacks from the structure that was labeled "barn" that is actually a type of shed, and parcel 1 and 2 lacked the required frontage. Mr. Blaine stated that he did meet with the applicant and they discussed how Mr. Lajti could change the project. Mr. Blaine pointed out that Mr. Lajti changed the lot lines so that Parcel 1 has 150' of frontage and 250' of depth so it has 37500 sq. ft. Mr. Blaine stated that the area variance that they were looking for was 12.87ft. in parcel 2. Mr. Bashaw stated that subdividing the parcel is what is creating the hardship and that if he were not going to subdivide the parcel then there would not be a hardship. Mr. Russell stated that the hardship is self-created if he is going to subdivide the property. Mr. Russell asked why Mr. Lajti went before the Planning Board before going to the Zoning Board. Mr. Blaine stated that Mr. Lajti was advised that he did not need any variances and that the project was approvable. Mr. Russell asked if Mr. Lajti had any intentions on selling the parcels. Mr. Lajti stated that he had no intentions on selling either parcel within the next 5-10 years.

MOTION:

Mr. Blair made a motion to approve with the stipulation that the barn be moved by September 30, 2009 or prior to property being sold. Second by Mr. Bashaw.

ROLL CALL: Mr. Bashaw - yes, Mr. Fusco - yes, Mr. Blair - yes, Mr. Denchick - yes, Mr. Falvo -yes, Mr. Farrell -yes, Mr. Russell -yes.

MOTION CARRIED.

ANY FURTHER BUSINESS:

Mr. Russell asked how many more mistakes that were made they had coming to the Zoning Board. Mr. Blaine stated that they all had been resolved.

CEO REPORT: PAUL BLAINE

Mr. Blaine stated that there has been a lot of activity in the past 3 weeks including 3 homes being built in town; 2 in Buttonwood, 1 on River Rd. Mr. Blaine stated that there was a temporary C of O given to Pasquales Pizza.

ADJOURNMENT:

Motion Made by Mr. Bashaw.

Second by

All so moved.

Date filed with Town Clerk _____

