

Walter Russell, Chairman of the Town of Peru Zoning Board of Appeals, called the meeting of April 15, 2009 to order at 7:00 pm.

ROLL CALL:

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

APPROVAL OF MARCH MINUTES:

Mr. Russell welcomed Mr. McBrayer to the board and called Mr. Bosley up to fill in for Mr. Fusco.

MOTION: Mr. Zalis made a motion to approve the March minutes. Second by Mr. Blair.

ALL SO MOVED.

MOTION APPROVED.

PUBLIC HEARING:

1. APPLICATION:

PATRICIA PUGH

Requesting an Area Variance for an Agricultural Use at 15 Campsite Rd.

Mr. Blaine stated that the applicant would like an area variance of 40ft from the front line and 20ft from the back line of the property for an animal shelter which is an agricultural use. Mr. Blaine stated that the application was referred to the Clinton County Planning Board who did refer back stating that it was a local issue but did offer comment. Mr. Bashaw asked what type of siding and finish they would be using on the structure. Ms. Pugh stated that they would be using pine siding and a stain for the finish. Mr. Bashaw asked if 5 days was long enough to get the permit and what would be a realistic timeline to finish the painting. Ms. Pugh stated that 5 days was plenty of time to get the building permit. Mr. Bashaw stated that 90 days should be enough time to get the siding up and have it stained. Mr. Bashaw asked what they do with the manure. Ms. Pugh stated that she gives it away for people to use as fertilizer and she also uses it as fertilizer in her garden.

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MOTION: Mr. Bashaw made a motion to approve the application with the stipulation that there be no more than 3 animals at a time with the maximum of 2 horses. Second by Mr. Denchick.

ROLL CALL: Mr. Blair- yes, Mr. Bosley- yes, Mr. Bashaw- yes, Mr. Denchick- yes, Mr. Zalis- yes, Mr. Falvo- yes, Mr. Russell- yes.

MOTION CARRIED.

2. APPLICATION:

SCOTT BAZZANO

Requesting an Area Variance for a Retaining Wall
and a Walk-in Cooler at 2931 Main St.

Mr. Blair and Mr. McBrayer recused themselves. Mr. Blaine stated that Mr. Bazzano is looking to get an area variance for a retaining wall and a walk-in cooler. Mr. Blaine stated that Mr. Bazzano proposes to place the retaining wall on the back side next to Union Rd and along the tree lines. Mr. Blaine stated that the retaining wall is proposed to be a maximum of 3ft high to expand the parking area. Mr. Blaine stated the second variance is for a walk in cooler on the back of the take out building which requires a 27.5ft variance from Union Rd. and a 19.5ft variance from Rt. 22. A neighbor was present and stated that they are concerned about the variance of the retaining wall and drainage of water being as they live next door. Mr. McBrayer stated that they are concerned about delivery trucks, vehicle headlights, and overall privacy. Mr. Blair stated that the driveway will not be raised more than it is. Mr. Blair stated the highest level of the parking lot will be near the culvert reaching about 3ft high to level it off. Mr. Bosley asked if it had to be a cement wall. Mr. Blair stated that the reason they decided to build with concrete or masonry for the project is because of the ability and pressure treated wood doesn't last as long. Mr. Bosley asked if they could place a cedar hedge along the outside of the wall. Mr. Bashaw stated that the headlights should not be an issue because they are not changing the contour of the land. The neighbors stated that their biggest concern is the drainage of water, privacy, and the resale value of their home with a concrete wall next to it. Mr. Bashaw asked if Mr. Bazzano considered using ready blocks. Mr. Bazzano stated that he would however a concrete wall is half the price of the ready blocks. Mr. McBrayer stated that according to the original Site Plan Review the dumpster was supposed to go in the south corner of the property next to Union Rd. however he was wondering if it could be moved to a different location. Mr. Bazzano stated that he has already been approved to place his dumpsters there. Mr. Bashaw asked if he could leave the dumpsters where they are currently at. Mr. Bazzano stated that it would take up too many parking spaces. Mr. Bashaw asked if the dumpster had ever been located near the residents and if it was ever a problem. Mr. McBrayer stated that it was a problem and he helped move the dumpsters to their new location. Mr. McBrayer suggested placing the retaining wall at the proper level and placing the dumpsters along the back property line along Union Rd. Mr. Blair stated that there is another option they could go through which would be to bring in fill to level it off instead of using a retaining wall and that would not need any variances. Mr. Bashaw told Mr. Bazzano that he could pull his application and go through with the option that Mr. Blair had suggested. It was agreed that the dumpster be moved no more south then the north corner of the building. The retaining wall should be a minimum of 1ft off of all property lines. Mr. Bashaw stated that the elevation will not increase above the existing high point elevation. Mr. Russell stated that it should go back to Site Plan Review being they are talking about drainage issues.

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MOTION: Mr. Denchick made a motion to approve the application for an area variance for a walk-in cooler and retaining wall with the stipulation that the location of the dumpsters be moved no more further south than the north corner of the building, the retaining wall be a minimum of 1ft off of the property line on all sides, the elevation of the parking lot will not increase above the already highest point of exiting elevation, and there be a physical barrier put in place on top of the retaining wall .Second by Mr. Bosley.

ROLL CALL: Mr. Blair-yes, Mr. Bosley- yes, Mr. Bashaw- yes, Mr. Denchick- yes, Mr. Zalis- yes, Mr. Falvo-yes, Mr. Russell- yes.

MOTION CARRIED.

ANY FURTHER BUSINESS:

Discussion of the applications was followed by discussion of Mr. Carters application for an interpretation. Mr. Russell asked if anybody had a problem holding a special meeting to hear Mr. Carter’s application on April 29, 2009 at 6:00pm before the training. All board members agreed to be at the meeting on April 29, 2009. Mr. Blaine stated that Mr. Falvo now has a full seat on the Board and Mr. McBrayer did get approved to fill an alternate position. There is training to be held on April 29, 2009.

CEO Report:

Mr. Blaine stated that it was a slow month for building permit applications. Mr. Blaine stated that there were 5 Building Permits issued, 1 Planning Board and 2 Zoning Board Applications. Mr. Blaine stated that there are two applications to come in front of the Zoning Board for May.

ADJOURNMENT:

Motion Made by Mr. Denchick.

Second by Mr. Bosley.

All so moved.

Date filed with Town Clerk _____