

Walter Russell, Chair of the Town of Peru Zoning Board of Appeals, called the meeting of December 16, 2009 to order at 7:03pm.

ROLL CALL:

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

APPROVAL OF NOVEMBER MINUTES:

MOTION: Mr. Bosley made a motion to approve the November minutes. Second by Mr. McBrayer.

ALL SO MOVED.

MOTION APPROVED.

PUBLIC HEARING:

1. APPLICATION: PATRICIA HAMILTON
Area Variance prior to Subdivision at 286 Mannix Rd

Mr. McBrayer recused himself for the application. Mr. Blaine explained that the area variance was necessary as there is no frontage for the proposed subdivision. The application was forwarded to the Clinton County Planning Board. The CCPB denied the application and indicated that there will be a negative impact from the creation of a landlocked parcel. Mrs. Hamilton submitted a letter from the Peru Volunteer Fire Department stating that the proposed driveway would not limit EMS or Fire apparatus. Mr. Falvo suggested that the parcel could be extended to Clark road to obtain the required frontage. Mr. Russell read the requirements for an Area Variance from the Zoning Ordinance into the record.

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MOTION: Mr. Bosley made a motion to approve the application. Second by Mr. Fusco.

ROLL CALL: Mr. Bosley-yes, Mr. Fusco-yes, Mr. Blair-no, the request is too substantial, Mr. Falvo-no, the request is too substantial and there are other alternatives available, Mr. Denchick-no, the request is too substantial and there are other alternatives available, Mr. Russell- yes.

MOTION DENIED.

2. APPLICATION: CASELLA CONSTRUCTION
Special Permitted Use for a Recreational Pond on Cook Rd.

Mr. Blaine provided an overview of the application. Scott Allen, Engineer representing Casella Construction, provided additional information to the Board. Mrs. Albin, adjacent property owner, presented her concerns for the proposed pond. Items addressed included noise from the construction equipment, water runoff and damage to Cook Road. Mr. Russell read a letter from Highway Superintendent Mike Farrell recommending that a performance bond be required. Mr. Russell reviewed Sections 314 and 318 of the Zoning Ordinance. Mr. Murnane asked how much material would be removed. Scott Allen stated that over 20,000 cubic yards would be removed and the surface area would extend over two acres. Mr. Allen stated that the clay would be utilized at the Clinton County Landfill. The Board discussed additional information that they would need prior to making a decision. The Board also requested that the Town Engineer review the project as provided under section 318.

MOTION: Mr. Falvo made a motion to table the application. Second by Mr. McBrayer.

ROLL CALL Mr. Bosley-yes, Mr. Fusco-yes, Mr. Blair-yes, Mr. Falvo-yes, Mr. Denchick-yes, Mr. Russell- yes.

MOTION CARRIED.

3. APPLICATION: GLENWOOD PLAZA PARTNERS, LLC
Special Permitted Use for a Financial Office at 3384 Rt. 22

Mr. Blaine explained that a special permit was necessary for the existing use as there were no records available that provided that the approval had been granted previously.

MOTION: Mr. Fusco made a motion to approve the application. Second by Mr. Denchick.

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

MOTION CARRIED.

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4. APPLICATION: GLENWOOD PLAZA PARTNERS, LLC
Special Permitted Use for Barber Shop, Karate and Martial Arts
Studio at 3384 Rt. 22

MOTION: Mr. Denchick made a motion to approve the application. Second by Mr. Bosley.

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

MOTION CARRIED.

5. APPLICATION: GLENWOOD PLAZA PARTNERS, LLC
Special Permitted Use for a Beauty Shop at 3384 Rt. 22

MOTION: Mr. Denchick made a motion to approve the application. Second by Mr. McBrayer.

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

MOTION CARRIED.

ANY FURTHER BUSINESS:

Mr. Russell read a letter resigning his position with the Zoning Board of Appeals effective January 1, 2010.

MOTION: Motion by Mr. Bosley to recommend Mr. Blair as Chairman for the 2010 term. Second by Mr. Fusco.

ALL SO MOVED.

MOTION CARRIED.

MOTION: Motion by Mr. Russell to recommend Mr. Falvo as Vice Chairman for the 2010 term. Second by Mr. Bosley.

ALL SO MOVED.

MOTION CARRIED.

CEO REPORT:

Mr. Blaine thanked Mr. Russell for his professionalism, support and service to the Town.
Mr. Blaine presented and discussed the monthly report.

ADJOURNMENT:

Motion Made by Mr. Falvo. Second by Mr. Russell. All so moved.

Date filed with Town Clerk _____