

Leon Blair, Chairman of the Town of Peru Zoning Board of Appeals, called the meeting of December 15th, 2010 to order at 7:00 pm.

ROLL CALL:

LEON BLAIR, CHAIRMAN	: PRESENT
JAMES FALVO, VICE CHAIRMAN	: PRESENT
ROB BASHAW	: ABSENT
FRANK DENCHICK	: PRESENT
TOM FUSCO	: PRESENT
ROY ZALIS	: EXCUSED
LAWRENCE BOSLEY	: PRESENT
DON MCBRAYER (ALT)	: PRESENT
ATTY. THOMAS MURNANE	: EXCUSED
CEO PAUL BLAINE	: PRESENT

APPROVAL OF NOVEMBER MINUTES:

MOTION: Mr. Falvo made a motion to approve the November Minutes. Second by Mr. McBrayer.

ROLL CALL: Mr. Falvo – yes, Mr. Bosley – yes, Mr. Denchick – yes, Mr. Fusco – yes, Mr. McBrayer – yes, Mr. Blair – yes.

MOTION CARRIED.

PUBLIC HEARING:

Mr. Blair stated to the applicants that because there is not a full board present for tonight's meeting they have the option of tabling their application. Neither applicant opted to do so.

1. APPLICATION: CARRIE BRASHEAR
Area Variance ~ 269 Dashnaw Rd.

Mr. Blaine stated this applicant is seeking a 100% variance for 150' of road frontage in order to subdivide Parcel #269-.2-29.1. This property has no road frontage but it does have a deeded right-of-way. Ms. Brashear was present and explained she inherited this property and for financial reasons she wants to subdivide it, retain 3+ acres where her home is located, and sell the remaining 20+ acres. She stated she approached The Remillard's, who are currently leasing and farming the adjoining land, which is currently owned by The Girieux's, and asked if they

were interested in purchasing the 20+ acres. She stated they showed interest however she did not present any documents to the Board confirming this.

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There was much discussion to her property being land-locked and that by her subdividing the parcel it creates yet another land-locked parcel, Mr. Blair was clear that the Board will not consider allowing that to take place. It was determined that access to this proposed new parcel via her right-of-way is not an option because it was only deeded to her parcel and will not automatically be deeded to the buyers of the new parcel. The Board offered some possible options to create a conforming lot in order to achieve Ms. Brashear's goal of subdividing and selling a portion of her property. However it was ultimately agreed upon that Ms. Brashear needs to provide the Board with a viable plan as well as any necessary supporting documents in order for the Board to consider granting an Area Variance. It was agreed to table the application until the February 16th, 2011 regular meeting pending more information.

MOTION: Mr. Falvo made a motion to table this application pending more information until the February 16th, 2011 regular meeting. Second by Mr. Bosley.

ROLL CALL: Mr. Falvo – yes, Mr. Bosley – yes, Mr. Denchick – yes, Mr. Fusco – yes, Mr. McBrayer – yes, Mr. Blair – yes.

MOTIONED CARRIED.

2. APPLICATION: RICK CURRY
Area Variance ~ Arnold Rd.

Mr. Blaine stated this applicant is seeking to build a single family residence and is need of a 100' variance to meet the 150' road frontage requirement. He further stated that a Sketch Plan Review for a major subdivision for this parcel #257.-2-44.7 was approved by the Planning Board back in 2008 and that variances such as this one have been granted in the past. Mr. Curry was present to answer any questions. The Board had concerns regarding this application, specifically referring to where Mr. Curry states on the application "to set up staging area for future 14 lot sub-division". There was much debate on this matter. Mr. Curry concurred with what Mr. Blaine had stated earlier and declared the reason for referencing the subdivision on the application rather than just noting the construction of a single family home was to simply to give the ZBA more insight and information to his future plans for that property. After much discussion, it was ultimately established that Mr. Curry will need to submit an amended application which strikes any reference to the proposed future subdivision of this property and state he is only applying for an area variance to comply with the requirement for 150' of road frontage for a single family residence to be built on this property. It was established the Board will table this application pending this amended information until the January 19th, 2011 regular meeting.

MOTION: Mr. Bosley made a motion to table this application pending amended information until the January 19th, 2011 regular meeting. Second by Mr. Denchick.

ROLL CALL: Mr. Falvo – yes, Mr. Bosley – yes, Mr. Denchick – yes, Mr. Fusco – yes, Mr. McBrayer – yes, Mr. Blair – yes.

MOTIONED CARRIED.

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ANY FURTHER BUSINESS:

No further business.

CEO REPORT:

Mr. Blaine stated he did not have the Monthly Building Report with him however if there were any questions he would be glad to answer them. There were no questions or comments from the Board.

ADJOURNMENT:

Motion to adjourn made by Mr. Falvo. Second by Mr. McBrayer.

All so moved.

MOTION CARRIED.

After ADJOURNMENT Mr. McBrayer suggested to open the meeting back up in order for the Board to make their recommendation to the Town Board for the Chairman and Vice Chairman for the next year. **MOTION:** Mr. McBrayer made a motion to recommend Leon Blair as Chairman and James Falvo as Vice Chairman. Both Mr. Blair and Mr. Falvo accepted the nominations. A letter of recommendation will be submitted to the Town Board for approval.

ROLL CALL: Voice vote. All so moved.

MOTION CARRIED.

It was also recognized Mr. Zalis needs to submit a letter of resignation to the Town Board. It was further noted a letter be submitted to the Town Board recommending they accept Roy Zalis' resignation and in turn accept this Board's recommendation to have Don McBrayer fill Roy Zalis' term which will expire December 31st, 2012.

ADJOURNMENT:

Motion to adjourn made by Mr. McBrayer.

All so moved.

MOTION CARRIED.

Date filed with Town Clerk: 12/20/10

Approved: 1/19/11