

Zoning Board of Appeals Meeting
October 26, 2006

11-19-06
APPROVED

Present: Steve Barto, Pete Keefer, Mervin Hurst, Mike Cleere
Absent: Julie Thompson

This meeting was called to order at 6:24 PM by Chairman, Steve Barto.

First on the agenda was the public hearing for Donald Elardo. It was noted that a fax was received today from Mr. Elardo's attorney requesting a postponement, as he had a conflict. A new public hearing date was set for Saturday, November 18th, at 10:00 AM

The public hearing for Mr. Chiarilli was called to order at 6:29 PM. Mr. Chiarilli began by noting that his current garage is 180 feet back from the road, and his requested new garage will be 440 feet back from the road, as he recently acquired more land. He further explained that he plans to do extensive landscaping around the garage, and use the current garage for personal use, taking down the signs.

Motion to discuss application by Mike Cleere and Pete Keefer.

DISCUSSION

Chairman, Steve Barto, questioned the lighting on the proposed new garage. He requested pollution lighting.

Chairman Barto also inquired about signs. Mr. Chiarilli explained that he would continue to use the current sign (at the road) which is 3 ft. square, 6 ½ ft. high, and 20 ft. from the ditch. Mr. Chiarilli added that this sign was put up by his son-in-law according to State specs.

The question of water run off was also mentioned. Mr. Chiarilli said he already has drain tile.

Mr. Chiarilli said he would extend the existing driveway back to the new garage. It was noted that the beginning of this driveway is shared with his neighbor, Bob Halladay. At about 130 to 140 feet out, it becomes his (Mr. Chiarilli's). There is an easement on Mr. Chiarilli's deed. Pete Keefer questioned traffic in and out. Would the next door neighbor like increased traffic?

Steve made a motion to accept and approve this application, with second by Mike, with the following conditions:

Existing sign at road stays as is.

Lighting is to be Pollution lighting, protruding downward, up to 4 lights

New Construction must not deviate from plan presented.

Vote 4/0

Motion to adjourn the public hearing by Pete Keefer, second by Mervin Hurst 6:45 PM
4/0

In other business, a young couple was present to discuss their up and coming public hearing that was scheduled for Nov. 18th. They were told they could come in and talk about this. Chairman Barto said this will be done on Nov. 18th.

Also, Zoning Officer Bob Halladay said not all requirements have been met on the mini-storage.the Southside berme is not done. Chairman Barto advised Bob that it is now up to Zoning (Bob) and the Town Board to enforce. Steve said the berme should be 4ft by 5 ft, and that he has had a couple of calls. The agreement was signed. Mr. Apgar, also present, said he signed what "you people" want, that is not what he agrees to. What is a berme going to do on the Southside? It will partially block the view, noting this is a residential area. Mr. Apgar said next spring, it will look a lot nicer. Steve Barto agreed. Mr. Apgar commented on how other applications slide through "like butter." Steve countered with the fact that he has never had Standing Room Only people opposed to something. Have to listen to the Voters. Mr. Apgar mentioned another business opened 18 years ago, stating they have no permit, with no restrictions on hours of operation. His attorney said these are "unreasonable restrictions compared with other businesses in Fayette." It was further explained to Mr. Apgar that his mini-storage is not the same, there are concerns of neighbors having a storage area within a residential neighborhood. Mr. Apgar noted no intention of being open after dark. He intends to plant trees on Southside, with burning bushes that can grow to 6ft.

Steve Barto said Mr. Apgar has done a terrific job.

Motion to adjourn meeting first by Mike, second by Mervin 7:15PM
4/0

Sue Hensel
ZBA Clerk