

TOWN OF GRANBY ZONING BOARD OF APPEALS

Meeting Minutes

August 10, 2021

Chairman Palmitese called the regular meeting of the Granby Zoning Board of Appeals, held on Wednesday, July 28, 2021 to order at 7:00 pm.

AGENDA: Pioneer Shopping Center Public Hearing

Regular Meeting

MEMBERS: Tyler Palmitese, Chairman

Peter LeoGrande

Tina Sawyer

Tom Thompson - absent

ALSO PRESENT: Tim Coyer, Albert Giannino and Supervisor John Snow.

PUBLIC HEARING

Pioneer Fulton Shopping Center

Chairman Palmitese re-opened the Public Hearing that had been tabled at the 7/28/21 meeting at 7:01 pm.

Area Variance requests for relief of Granby Zoning Ordinance Section IV, Subsection B for: lot size, yard setbacks, width at building line and lot coverage requirements in connection to a 2-Lot subdivision of property located at 1909 State Route 3, Fulton, NY 13069; Tax Map #235.00-05-27.

Chairman Palmitese recounted the requests by the developer/owner regarding a proposed subdivision of commercial property, and asked if they had any additional information to submit – they had none. Chairman Palmitese stated that the Oswego County Planning Department had processed the 239Review referral for the project and made a determination that the project had no potential significant intercommunity or county wide impacts and that it is a local issue. He also stated for the record that the project is classified as a Type II for SEQRA purposes, and as such is not subject to review. With no public present to make comments, a **motion** was **moved** by member Sawyer to close the Hearing at 7:04 pm. The motion was seconded by Member LeoGrande, all were in favor and the **motion carried**.

Chairman Palmitese read aloud the five criteria for area variances with opinions set forth by the members as follows:

1. Undesirable change in neighborhood character or detriment to nearby properties. – No, the property is zoned and used as CIT, and will continue to be used as commercial after the subdivision occurs and the undersized lot is created.
2. Whether benefit can be achieved by other means feasible to applicant. – No, the structure has remained vacant without ability to be leased due to the unique interior feature of a bank vault which does not readily apply to other retail businesses. The creation of the undersized lot will allow continued usage of the structure which otherwise would be demolished by the developer.
3. Whether request is substantial. – Yes, the members agreed that all of the requests are substantial but the rationale to sustain a functioning plaza in a commercial district offers great benefits to the community without potential detriment to the surrounding properties or the environment.
4. Whether request will have adverse physical or environmental effects. – No, nothing will change physically to alter the daily performance activity of the plaza therefore no negative impact to the environment or surrounding properties. The proposed addition will convert a covered drive-thru to an enclosed room which will not change the amount of water run-off yielding no impact to current drainage facilities.
5. Whether alleged difficulty is self-created. - Yes, the requests strive to create a parcel that can adhere to the existing ‘Reciprocal Easement and Operating Agreement’ and not disrupt the current usage and maintenance practices.

Without further discussion, a **motion** was **moved** by Member LeoGrande to grant the requested Area Variances as represented on submitted survey plat dated 7/14/21 and revision dated 7/21/21. The **motion** was seconded by Member Sawyer, all were in favor without further discussion and the **motion carried**.

Resolution # 2021-01

BE IT RESOLVED, by the Zoning Board of Appeals for the Town of Granby, upon the facts presented and the determination made, that the Area Variances requesting relief from the following requirements of the Granby Zoning Ordinance, as follows:

*Area per lot from required 30,000 sq.ft. to 10,000 sq.ft.,
Width at building line from 200-feet to 100-feet,
Front yard setback from 50-feet to 23-feet,
Both side yard setbacks from 25-feet to 15.4-feet,
Rear yard setback from 50-feet to 2.5-feet, and,
Lot coverage from 35% to 49%.*

*The requested relief to allow for the minor 2-lot subdivision (submitted survey plat dated 7/14/21 and revision dated 7/21/21), to create a parcel containing a single structure within an existing shopping center with shared access and parking lot agreements, on CIT zoned property located at 1909 State Route 3, Fulton, NY 13069 Tax Map # 235.00-05-27 is hereby **GRANTED**.*

A roll call vote was taken:

Tyler Palmitese, Chairman	Aye
Peter LeoGrande, Member	Aye
Tom Thompson, Member	Absent
Tina Sawyer, Member	Aye

3 AYES 0 NAYES 0 ABSTENTIONS – **Application APPROVED.**

MINUTES

A **motion** was **moved** by Chairman Palmitese to approve the meeting minutes for July 28, 2021 with minor corrections. The motion was seconded by Member LeoGrande, all were in favor without further discussion and the **motion carried**.

ADJOURN

With no other business before the Board a **motion** to adjourn at 7:10 pm was **moved** by Member Palmitese and seconded by Member LeoGrande, all were in favor and the **motion carried**.

Respectfully submitted by:

Lisa Somers, ZBA secretary