

TOWN OF GRANBY ZONING BOARD OF APPEALS

Meeting Minutes

July 28, 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 and Albert Giannino.

PUBLIC HEARING

Pioneer Fulton Shopping center

Chairman Palmitese announced the request and opened the Public Hearing at 7:05 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.

Surveyor, Tim Coyer, stated that the project involves an existing shopping plaza located on State Rt. 3, in which they are proposing to subdivide an existing building and create a separate parcel for purposes of sale. The building has been used as a bank for many years, and as such, has a uniqueness that only appeals to a limited number of users. The developer has been unable to lease the space and has considered demolition of the structure. The building contains a safe that can not be easily removed without disrupting the load bearing members of the structure, and very few businesses can incorporate the large vault which is located somewhat centrally in the structure. A potential buyer interested in purchasing the structure is the Town of Granby, which as a municipality would be able to utilize the vault for storage of archived records, ledgers and such.

The proposed parcel they wish to create is substantially smaller than the dimensional requirements of the Town's Zoning Ordinance for a CIT zoned property, therefore the applicants are asking for several variances. The requests are as follows:

- Front yard setback – 23-feet instead of required 50-feet – request for 46% relief.
- Side yard setbacks – 15.4-feet instead of required 25-feet – request for 38% relief.
- Rear yard setback – 2.5-feet instead of required 50-feet – request for 95% relief.
- Minimum lot size – 10,000 sq. ft instead of required 30,000 sq.ft - request for 66% relief.
- Minimum width at the building line – 100-feet instead of required 200-feet – request for 50% relief.
- Maximum lot coverage – 49% instead of required 35% - request of 14% relief.

The surveyor commented that the site plan/subdivision plat had been altered to reflect a 1,798 sq.ft. proposed addition to the rear of the building which created another variance request for lot coverage. He had also added an enlarged view of the proposed lot to the right side of the drawing to clarify the dimensional requests. The applicants explained that the rationale for the proposed parcel size is largely due to the existence of the plaza itself and how the space is shared by the varying businesses located there. The parking lot area, as well as the areas of ingress and egress is utilized by all the businesses, and to segregate square footage of those elements surrounding the bank structure to the newly created parcel would violate the long-standing "Reciprocal Easement and Operating Agreement", which all tenants of the development are required to partake in. The owner/developer, Pioneer Fulton Shopping Center, is responsible for maintaining the shared areas – snowplowing, pothole repairs, blacktop paving maintenance, drainage facilities, ditch areas, mowing, ROW's and ingress/egress locales, and striping/painting lines within parking areas. Each tenant pays a pro-rated service fee supporting the maintenance activities. Since the common areas are shared, then allotting some of the paved space to be part of the proposed parcel would create difficulty in performing those duties and complicate existing rules for ingress/egress and travel lanes for all. Likewise, the tenant of the bank structure, if the parcel were to be larger than proposed, would have to maintain those areas in a similar manner which would create additional expense as well as create non-uniformity of the usage patterns and to the visual aesthetic.

Chairman Palmitese asked the ZBA members for questions or comments – there were none. The Hearing was opened to public comments – there were none. The application is subject to **GML 239-1, m&n Review** by the Oswego County Planning Department. The trigger initiating the review is that the property is located within 500-feet of State Route 3. The County was supplied with a referral request package for review, and as of this date a Determination letter has not been received, therefore the ZBA is prohibited from proceeding forward with the application. A motion was moved by Chairman Palmitese to Table the Hearing until Tuesday, August 10, 2021 at 7:00 pm at the Community Center; the motion was seconded by Member Sawyer, all were in favor and the motion carried.

MINUTES

A **motion** was **moved** by Member Sawyer to approve the work session minutes for July 13, 2021. 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 7:20 pm was **moved** by Member Palmitese and seconded by Member Sawyer, all were in favor and the **motion carried**.

Respectfully submitted by:

Lisa Somers, ZBA secretary