

Village of Hilton Zoning Board
Meeting Minutes of October 9, 2012
Approved November 13, 2012

Member's Present: Richard Bjornholm, Richard LaForce, Robert Hunte, Tom Scheg

Member's Absent: Pat Holenbeck

Administration Present: Mike Lissow; Code Enforcement Officer, Mayor Joe Lee;
and Amy Harter; Recording Secretary

Others Present: Shannon Zabelny Alternate, Dr. Scott Overholt, James Maurer,
Kevin Woodcock, Dennis Bates,

1. Call the meeting to order at 6:30 p.m. with the pledge of allegiance to the flag.
2. Chairman Bjornholm explained the ZBA responsibilities.
3. Pat Holenbeck was absent, Alternate Member Shannon Zabelny will be acting as an voting member.

ZONING BOARD SEGMENT- PUBLIC HEARING

- Application of Scott Overholt for site plan review to construct a professional office building at 10 Canning Street. Per section 24-305 B (2) this is a permitted use. This property is zoned Commercial.

1. Jim Maurer, Wendel Companies, was present to discuss the Site Plan of Dr. Scott Overholt at 10 Canning Street. The proposal is for a professional office building. They are proposing to construct a one story, 3300 square foot building with a basement. The intent of the basement is for the ease of mechanicals only. There will be 20 parking spaces and entrances from Canning and Upton Streets. There have been no changes since the initial presentation at the September 11, 2012 meeting. Preliminary Site Plan approval was granted by the ZBA.

2. Board Comments:

Member Scheg is impressed with the choice of lighting fixtures and textured brick. Member Hunte questioned if the electric will be placed underground, the applicant prefers it underground also.

Member Zabelny stated she is pleased with the application as these are improvements to the area.

Member LaForce agrees with Member Zabelny and questioned the maintenance of the existing retaining wall. Mr. Maurer explained since Dr. Overholt is the property owner, he will maintain it, and has no intention of disturbing it during construction.

Chairman Bjornholm likes the proposal. Feels the business hours are a good fit for the area since they are opposite the other businesses hours.

3. Chairman Bjornholm opened the public hearing at 6:40 p.m. There being no comments made, it was closed at 6:40 p.m.
4. Mike Lissow brought up a suggestion made by DPW Superintendent, Mike McHenry to consider moving the water line/catch basin to a different location. It was agreed that can be discussed on site.
5. Member Hunte made a motion to grant Final Approval, seconded by Member Scheg, approved 5-0.

Preliminary Site Plan Review

1. Kevin Woodcock, 75 Lake Avenue intends on operating a Sub Hub Express. This is inspired by sub shop in Niagara Falls. There are no architectural changes to the building. He intends to upgrade the equipment. There will be seating for 10 or less.
2. The applicant explained that he, his wife and their son will operate the business with intentions of hiring 4-5 part time employees. Hours of operation are 11 a.m. - 8 p.m. Monday-Saturday, 12 p.m. – 6 p.m. on Sunday.
3. A sign will possibly be placed in the peak and will utilize the red existing sign board. The applicant plans to be open around Thanksgiving. A drawing of a possible sign was provided.
4. Member Hunte explained the requirements of A-frame signs. Lighting is adequate.
5. Member Scheg strongly encouraged a fenced in area for the refuse area. Mr. Woodcock said he will enclose it. No catering is being done.
6. Parking – Mr. Woodcock will speak to other businesses about sharing the parking between them. Utilize parking behind the NAPA building
7. Member Hunte made a motion to waive Site Plan Review, based on no increase of services, no changes to exterior, no subdivision of land, seconded by Member Scheg, approved 5-0.

Preliminary Site Plan Review

1. Dennis Bates, Subway Franchise, explained that he is proposing to open and operate a Subway Franchise in the Tops Plaza 98 South Avenue.
2. There are no changes to the exterior proposed by Mr. Bates except for signs and stated there is plenty of parking. They will utilize dumpsters in the rear of the property.
3. Mr. Bates expects to have 7-10 employees, 4 full-time, the rest part time. He explained that about 70% of this business is take-out. The peak time consist of about 25 customers, which is usually at lunch.

4. Chairman Bjornholm, asked if there are plans to modify parking lot? Mr. Bates answered no. Any exterior work done would be done by Benderson. Interior work is being done by Subway.
5. There was discussion that any façade changes must be proposed by Benderson for Architectural Review by the Zoning Board. The board explained that since Mr. Bates is a tenant, he cannot represent changes and not responsible for the outside of the building.
6. There will be a Public Hearing November 13, 2012. Benderson must provide architectural drawings and signage. Façade changes and new business for Advertisement.
7. Member Scheg made a motion to approve Preliminary Site Plan, Tom, seconded by Member Hunte.
8. **DISCUSSION**
9-11 South Avenue, Gary Inzana received approval to replace the front porch at this property. Member LaForce contacted Mike Lissow that the location of the stairs was different than discussed. Mike has communicated this to Mr. Inzana and they are working on a resolution.
9. **REPORTS**
Mayor Lee gave a report.
Mike Lissow gave his report.
Chairman Bjornholm gave his report.
10. **MINUTES**
Richard LaForce made a motion to approve the September 11, 2012 minutes as submitted, Bob Hunte seconded, approved 3-0-1, Pat Holenbeck abstained.

11. **DATES**

Next Scheduled Meeting	Tuesday, December 11, 2012
Public Agenda Deadline	Tuesday, November 27, 2012

There being no further business, the meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Amy Harter, Recording Secretary