

Zoning Board of Appeals
Meeting Minutes of July 14, 2020
Approved

ZBA Member's Present: Chairman Richard Bjornholm, Pat Holenbeck, Murray Weaver, Shelly Kordish and Harry Reiter

Administration Present: Code Enforcement Officer Mark Mazzucco. Mayor Joe Lee, and Recording Secretary Debbie Jones

Guests: Thomas R. Wright, Steven Clark, Michael Sengillo, Eileen Sengillo, Sara Puccia, Janet LaBorie, Mike Tunison

Chairman Richard Bjornholm called the meeting to order at 6:30 p.m. with the Pledge of Allegiance to the flag.

Chairman Richard Bjornholm read and explained the procedures of the Zoning Board.

ZONING SEGMENT – 5 NEWCOMB DR. - AREA VARIANCE

Application of Thomas Wright, for the property located at 5 Newcomb Drive, for an Area Variance to construct a second shed. Per Section 275-13, E 1 (a) Only one such accessory structure will be permitted on any real property and shall not be used for housing animals or their wastes. This property is zoned Residential District.

Mr. Wright stated his father passed away and he inherited all of his wood shop equipment. Mr. Wright would like to turn this shed into a wood shop/storage shed. It will be a simple shed. The "shed" that is currently there is part of the house, not considered a separate structure. There is a shed on the side of the house but is not big enough for all the equipment Mr. Wright has just received. Mr. Wright stated the size of the new shed would be around 14'x24'x11'.

BOARD COMMENT/QUESTIONS:

Member Holenbeck stated the shed is larger than we allow, she doesn't have a problem with a second shed, if it were within the allowed dimensions.

Member Kordish asked if there was a shed sitting in the driveway? Mr. Wright stated it is sitting next to the house on the "jet out" of the driveway. Member Kordish feels the Board is getting too many applications for sheds with dimensions larger than we allow. A precedence needs to be set.

Member Weaver stated it looks like there are two sheds in the backyard currently. Mr. Wright said there are not two sheds in the backyard, only the attached structure to the house which is not considered a shed. Member Weaver has a hard time with a second shed.

Member Reiter is struggling with the second shed concept.

Chairman Bjornholm asked Mr. Wright how big the existing shed is. Mr. Wright believes it is 10'x14'.

PUBLIC COMMENT: Opened at 6:42 p.m. There was no public comment. Closed at 6:42 p.m.

Member Weaver made the motion to deny Application of Thomas Wright, for the property located at 5 Newcomb Drive, for an Area Variance to construct a second shed. Per Section 275-13, E 1 (a) Only one such accessory structure will be permitted on any real property and shall not be used for housing animals or their wastes, seconded by **Member Reiter**, the vote was 4-1, Members Bjornholm, Weaver, Kordish and Reiter voted nay, Member Holenbeck voted aye, therefore the motion to deny the application has been accepted.

ZONING SEGMENT – 42 HEINZ ST. - AREA VARIANCE

Application of Steven Clark, for the property located at 42 Heinz Street for an Area Variance to construct a shed two feet from the property line. Per Section 275-13, E 1 (e) A side and rear setback of no less than five feet must be maintained. This property is zoned Residential District.

Mr. Clark stated the new shed will be a pre-built shed with a wooden floor. The shed will be large enough for boat storage. Due to the size of his lot and other items in his yard including a shed that is currently there, he is asking for relief from this code.

BOARD COMMENT/QUESTIONS:

Member Weaver feels strongly about allowing a second shed. Asked what size the new shed would be. Mr. Clark is looking at approximately 14'x32'. Member Weaver expressed his concern on the size of the shed.

Member Kordish stated she feels the same as Member Weaver

Member Holenbeck She is concerned with the size of the shed; the applicant has so many items in the backyard as it is.

Member Reiter agrees with the rest of the Board regarding having a second shed and the size.

Chairman Bjornholm ask the applicant if this is classified as a shed or a garage. Mr. Clark stated he thought a shed but would be storing a boat.

After much discussion among the Board, Mr. Clark and Mark Mazzucco, Code Enforcement it was decided to table this application until the August 11th, 2020 meeting. Mr. Clark will meet with Mr. Mazzucco to address possible different options for this application and bring it back to the Board.

PUBLIC COMMENT: Opened at 6:59 p.m. There was no public comment. Closed at 6:59 p.m.

PLANNING SEGMENT – 14 DOUD CIRCLE – CONDITIONAL USE PERMIT

Application of Michael Sengillo for the property located at 14 Doud Circle for Conditional Use Permit for an in-home Business (Online Firearms Sales for a Federal Firearms License) per section 275-13B (3). This property is Zoned Residential.

Mr. Sengillo stated he would like to have an in-home business for online firearms sales. This means an individual can purchase a gun online have it delivered to Mr. Sengillo's address for pick up or delivered to another dealer. Wholesalers must be an FFL (Federal Firearms License) dealer. Mr. Sengillo stated he is the middleman. He presented a list of eight (8) other FFL dealers, they are in the Town of Parma.

BOARD COMMENT/QUESTIONS:

Member Reiter questioned the percentage of sales that would be done online. Mr. Sengillo stated roughly 99% would be done online.

Member Weaver asked if there would be ammunition kept in the house. Mr. Sengillo stated maybe occasionally, but ammo can be bought in stores so he does not feel ammunition will be in the house often.

Member Kordish asked who resides in the home currently. Mr. Sengillo indicated he and his wife. Member Kordish has reservations after reading the code.

Member Holenbeck has many reservations. Member Holenbeck inquired about deliveries. Mr. Sengillo stated without a signature they will not leave a package with a signature. Member Holenbeck asked about storage of the firearms/ammo. Mr. Sengillo reported he has a safe that weighs over 1,800 lbs. He does not anticipate a lot of walk in customers.

Chairman Bjornholm made no comment.

PUBLIC COMMENT: Opened at 7:03 p.m.

Code Enforcement Officer, Mark Mazzucco stated he received a phone call at the office, no name was given by the caller. The caller stated he had no problems with this application.

Janet Laborie 15 Doud Circle asked if the zoning in this area would change. Chairman Bjornholm replied, the zoning will not be changing.

Mike Tunison 13 Doud Circle stated he has been neighbors with the Sengillo's for many years, they are outstanding neighbors and have never had any problems in the neighborhood.

PUBLIC COMMENT: Closed at 7:19 p.m.

Member Holenbeck made the motion to approve application of Michael Sengillo for the property located at 14 Doud Circle for Conditional Use Permit for an in-home Business (Online Firearms Sales for a Federal Firearms License) per section 275-13B (3). Noted one (1) neighbor in attendance, no opposition. Seconded by **Member Reiter**, the vote was 3-2. Members Holenbeck, Reiter and Bjornholm voted aye, Members Weaver and Kordish voted nay. Therefore, motion is accepted, approved.

PLANNING SEGMENT – 100 OLD HOJACK LANE – CONDITIONAL USE PERMIT

Application of Sara Puccia the proposed owner of 100 Old Hojack Lane for Conditional Use Permit for a proposed Storage facility per section 275-15C (3). This property is Zoned Commercial.

BOARD COMMENT/QUESTIONS:

Member Kordish feels this will bring business into the Village.

Member Weaver commented to Sara that she did a great job with her presentation at the last meeting and he is all for this project.

Member Holenbeck asked Sara if anything has changed with the plans. Sara said there has been no change in the plans. Member Holenbeck is good with this project.

Member Reiter asked if this would be all in an open footprint. Sara said eventually this will be fenced in.

Member Bjornholm asked Code Enforcement Officer, Mark Mazzucco if he was aware or heard of any issues with this application. Mr. Mazzucco answered no.

PUBLIC COMMENT: Opened at 7:25 p.m. Closed at 7:25 p.m.

Member Kordish made the motion to approve application of Sara Puccia the proposed owner of 100 Old Hojack Lane for Conditional Use Permit for a proposed Storage facility per section 275-15C (3). This property is Zoned Commercial. Seconded by **Member Weaver** and approved 5-0.

REPORTS:

Village Board Liaison	Not present but sent in a letter to Chairman Bjornholm of updates.
Mayor Joe Lee	Gave his report
Code Enforcement Officer	Gave his report
Chairman Bjornholm	Gave his report

MINUTES:

Member Kordish made the motion to accept the June 9th, 2020 Zoning Board of Appeals meeting minutes, seconded by **Member Holenbeck** and approved 5-0.

DATES:

Next Scheduled Meeting	Tuesday, August 11 th , 2020
Public Agenda Deadline	Tuesday July 28 th , 2020

There being no further business, **Member Holenbeck** made the motion to adjourn the meeting at 7:57 p.m., seconded by **Member Reiter**, and approved 5-0.

Respectfully Submitted,

Debbie Jones, Recording Secretary

