

Town of Verona  
Zoning Board of Appeals  
6600 Germany Road  
Durhamville, New York 13054

The October 12, 2016 meeting of the Town of Verona Zoning Board of Appeals was called to order at 7:00 pm by Chairman Henry Gerwig. Members present were: Henry Gerwig, James Regan, Patrick Barker and Salvatore Sparace. Also present were Secretary Susan Strain and Codes Officer Chris Childs. There were 23 residents present at the meeting.

The September 12, 2016 meeting minutes were approved as written with a motion made by James Regan and seconded by Salvatore Sparace. All members voted - All Ayes, No Noes. Motion passed.

**OLD BUSINESS:**

Ray Hanson, 2451 4<sup>th</sup> Ave., Verona Beach presented at new design for a fence on his property which would be more see thru than his previous design. Mr. Hanson presented photographs which were reviewed by ZBA board members. Members determined that Mr. Hanson's new design is allowed as it is substantially see thru.

**NEW BUSINESS:**

Ms. Mary Cronk has put on a bid to purchase 5400 Main St., Durhamville, and would like to open a beauty salon on that property. Members questioned about retail use in addition to service use. She was referred to the Planning Board for a Site Plan Review. Ms. Cronk later returned to apply for a Special Use Permit.

**PUBLIC CONCERNS:**

Chrisman Starczek has concerns regarding the property on Walker Road that Mr. Doug Simchik is planning to use to store dumpsters. He has a few questions: What are the policies and procedures that the town uses when reviewing for a special use permit? Who reviews the applications? Were the proper plans submitted, SEQR? 239?, will the Special Use Permit be rescinded? Mr. Gerwig answered that due to the fact that the permit was issued at the first meeting that he was chairman of and the first meeting that Mrs. Strain was the secretary of Zoning Board of Appeals, that we were not aware of the proper forms at the time and didn't think that a public hearing was necessary due to it being an allowed use on that property. Mr. Simchik received the Special Use Permit in good faith and Mr. Gerwig will speak with Mr. Rossi, the town attorney before rescinding the permit. Several residents brought up concerns about any hazardous wastes, debris, possible contamination to the area, and property values.

Issues were brought up about the improper issuing of the permit and what would be done to rectify the situation. Mr. Gerwig explained the permitting procedure and Mr. Simchik explained their operating procedures. After a lengthy discussion, Mr. Gerwig tabled the discussion until he has the opportunity to confer with Mr. Rossi about what steps are needed to rectify the special permit situation. If a public hearing will be required, Mr. Simchik requested it to be held at the Dec. 12, 2016, ZBA meeting.

#### **PUBLIC HEARING:**

Mr. Jeff Kahler, 4823 NYS Route 46 & 49, requested a variance for a property line adjustment on his property on NYS Route 46 & 49. The public hearing opened at 7:45 pm on October 12, 2016 by motion of James Regan and seconded by Patrick Barker. Members of the public were invited to speak. There were no members of the public that spoke for or against this. The ZBA held a brief discussion. Patrick Barker made a motion to close the public hearing at 7:48 pm. Salvatore Sparace was second to approve this motion. Salvatore Sparace made a motion to issue a ten feet side yard variance on the east side of this property. The motion was seconded by James Regan. All members voted. All Ayes, No Noes. Motion passed.

#### **ADJOURNMENT:**

The meeting of the Zoning board of Appeals was adjourned at 8:30 pm on a motion made by James Regan and seconded by Salvatore Sparace. All members present voted - All Ayes, No Nays. Motion passed.

#### **MEETING REOPENED;**

Ms. Mary Cronk requested that the meeting be reopened to schedule a special hearing for a special use permit. Meeting was reopened at 8:35 on a motion by Salvatore Sparace and seconded by James Regan. Salvatore Sparace made a motion to schedule a public hearing for a special use permit for Mary Cronk to open a hair salon at 5400 Main St., Durhamville. Motion was seconded by James Regan. All members voted. All Ayes, No Noes. Motion passed.

#### **ADJOURNMENT:**

The meeting of the Zoning board of Appeals was adjourned at 8:40 pm on a motion made by James Regan and seconded by Salvatore Sparace. All members present voted - All Ayes, No Nays. Motion passed.

**APPROVAL OF MINUTES:**

Chairman: Henry Gerwig : Henry Gerwig  
Board Member: Salvatore Sparace : Salvatore Sparace  
Board Member: James Regan : James Regan  
Board Member: Patrick Barker : Patrick Barker  
Board Member: Russell Walker : Russell J. Walker  
Secretary: Susan Strain : Susan Strain

This document is unapproved unless signed by all ZBA members.

