

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
October 11, 2022**

Present:

Denise Rhoads, Chair
David Palen
Kris Kiefer
Dave Lee
Sherill Ketchum -absent
Scott Molnar, Attorney
Karen Barkdull, P&Z Clerk

Chair Rhoads opened the meeting at 7:00 pm.

Minutes

Previous distribution to the Board of the regular meeting minutes of September 6, 2022, was executed, and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Kiefer to accept the September 6, 2022, minutes as presented. The Board having been polled resulted in unanimous affirmation of said motion.

Record of Vote

Chair	Denise Rhoads	Present [Yes]
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Present [Yes]
Member	Dave Lee	Present [Yes]
Member	Sherill Ketchum	Absent

Public Hearing Continuance

Applicant: Griffith Oil Co., Inc. (Superior Plus Propane)
1376 East Genesee Street
Skaneateles, NY 13152
Tax Map #042.-01-07.0

Present: Pat Bisesi, Plant Manager

Comments have been received from the fire chief and Mr. Bisesi said that his concerns are related to existing conditions in the area. The proposed shed will replace an existing structure, so the concerns that the fire chief has are for existing conditions. It will be safer with equipment store properly rather than the conditions today. Chair Rhoads read the fire chief's email that stated:

“Bob, I have severe reservations about putting another storage building on the back end of the property near other buildings on different properties. They mention that would be storing equipment in this building that may have fuel in it. The building is going to be made of metal with no fire protection system or alerting system. So the potential of getting a good start of a fire may be there. Also they have lots of empty tanks that are currently stored near this proposed building which could hinder us on outside fire operations . Thanks Pete. “

The fire chief had conducted a site visit with the codes officer, Bob Herrmann. Chair Rhoads said that the fire chief has a concern with the building not having fire suppression and Counsel Molnar commented that sheds do not typically have a requirement for fire suppression; however, the applicant can volunteer that addition. Vice Chair Palen inquired if there will be flammable material in the shed. Mr. Bisesi said that there will be tank moving equipment stored in the shed that has gas in it, and this is also an existing condition as they are currently stored in an existing container. There is no propane stored in the existing container or proposed for the new shed. The business is heavily regulated with safety measures in place including monthly inspections. Member Kiefer commented that he shared the same thoughts as Member Palen; however, the points that Mr. Bisesi has stated today has clarified that the storage is of vehicles. Mr. Bisesi said that they are 5 hp motors that lift tanks. Member Kiefer said that he originally thought that propane tanks were being stored in the shed. Mr. Bisesi said that propane tanks are not allowed to be stored in anything that is enclosed without proper ventilation; they will not place any propane in the storage building.

Member Kiefer said that the second concern is access to the shed and asked if the applicant could do something to provide greater access to the proposed building. Mr. Bisesi said that they keep a clear line path to the fence, especially in the winter, and he is willing to commit that they always have a clear path to the fence line on both sides of the building. Also, if there was any kind of fire there the fire chief would not want to endanger their people and vehicles by being in proximity. Member Lee stated that the shed would be close to the fence and would not be passable. Mr. Bisesi said that it is not passable now and would not be in the future. Member Lee commented that the existing container is not permanent, and the proposed shed would be.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

At this time Chair Rhoads asked if there was anyone who would like to speak in favor of, against or had any comments regarding the application. No one spoke in favor, opposition or had any other comments. The fire chief's comments were entered into the record.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Lee to close the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCE:

1. Whether an undesirable change will be produced in character of neighborhood or a detriment to nearby properties will be created by the granting of the area variance: Yes No

Reasons: No, by a majority vote. The proposed structure is in a commercial area with surrounding metal buildings used for mixed storage and warehousing, which would provide no change to the neighborhood or a detriment to nearby properties. The neighborhood is comprised of such businesses as auto service facility, gasoline station, and a car dealership. The proposed shed may be a detriment to the property to the south due to the proximity to another building.

RECORD OF VOTE

MEMBER NAME

AYE NAY ABSENT

Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. Whether the benefit sought by the Applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance: Yes No

Reasons: No, by a majority vote. The size and shape of the property and outdoor storage of many used propane tanks limits the space available for location of the shed. There is a large propane tank in the middle of the lot that limits the ability to place the shed elsewhere on the lot.

RECORD OF VOTE

MEMBER NAME

AYE NAY ABSENT

Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. Whether the requested variance is substantial: Yes No

Reasons: No. The requested area variance is not substantial. The placement of the 450 square foot shed fifteen feet from the property line versus 30 feet is not substantial. The proposed shed would be closer to the existing building on the adjacent property although it is in keeping with the neighborhood. There is a concern with the proposed shed crowding the other building. The property has an existing fence that is not at the property line which protects the site from trespassers or vandalism. The proposed shed will replace the existing movable storage unit.

RECORD OF VOTE

MEMBER NAME

AYE NAY ABSENT

Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district: Yes No

Reasons: No, by a majority vote. The proposed variance will not have an adverse effect or impact

on the physical or environmental conditions of the neighborhood or district. The 450 square foot shed will have minimal affect due to its location in a commercial district. The content of what will be included in the shed and the commitment from the applicant to maintain a clear path to both sides of the shed are persuasive factors. To have some of the equipment stored outside could potentially cause runoff that could cause fuel or oil to drain elsewhere. As the propane tanks will not be stored in the shed it should not have a physical or environmental impact to the neighborhood.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSENT
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Whether the alleged difficulty was self-created: Yes No

Reasons: Yes.

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, upon a motion made by Member David Palen, duly seconded by Member Kris Kiefer and a majority vote (3-1) affirmation of all Members present as recorded below, finds as follows:

- the Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: In review of the stated findings of the Zoning Board of Appeals, the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, lies in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, as well as the Board members’ inspection of the property, and is conditioned as follows:

STANDARD CONDITIONS:

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or otherwise commence the use within one (1) year from the filing of the variance decision. Any application for zoning/building permit(s) shall terminate and become void if the project is not completed within the eighteen (18) months from the issuance of the permit(s).
2. That the Applicant shall obtain all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application.
3. That the Applicant obtain a Certificate of Occupancy and/or Certificate of Compliance, as

required, from the Codes Enforcement Officer.

4. That the Applicant notify the Codes Enforcement Officer on completion of the footing of any project for which a variance has been obtained; and

5. That the Applicant provide an as-built survey to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project before a certificate of occupancy /certificate of compliance is issued.

ADDITIONAL CONDITIONS: The ZBA finds that the following additional conditions are necessary to minimize adverse impacts upon the neighborhood or community:

1. That the Site Plan dated August 2 2022, prepared by Pat Bisesi, Plant Manager, be complied with in all respects; and
2. That the Applicant will not store tanks containing propane, or other combustibles, in the building; and
3. That the Applicant will provide clear access to the rear fence on both sides of the structure; and
4. That the Applicant provide an as-built survey to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project before a certificate of occupancy /certificate of compliance is issued.

Record of Vote

Chair	Denise Rhoads	Present [Yes]
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Present [Yes]
Member	Dave Lee	Present [No]
Member	Sherill Ketchum	Absent

Member Kiefer stated that he appreciated the fire chief going to the site and providing comments to the board. He said that it is difficult to go contrary to his recommendations; however, the applicant had addressed the concerns in the discussions tonight.

Public Hearing

Applicant: Kelly & Joseph O’Hara
3824 East Street
Skaneateles, NY 13152
Tax Map #044.-02-29.0

Present: Kelly & Joe O’Hara, Applicants

Vice Chair Palen requested clarification on the size of the proposed shed and Mr. O’Hara confirmed that the shed would be 200 square feet. Member Lee commented that at the site visit they had suggested the option of moving the shed further back and Mr. O’Hara said that there is a birch tree that is there that would have to be cut down. Moving it one foot further towards the dwelling may be possible, but there are two trees that could potentially be in the way. Chair Rhoads inquired if the applicant had contacted the neighbor to the north as she would be the most impacted by the variance. Mr. O’Hara said that they had and that she had written a letter of support for the proposal.

Chair Rhoads asked if anyone would like the public hearing notice read. No one requested the public hearing notice to be read into the record.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Lee to consider the proposed action as a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

At this time Chair Rhoads asked if there was anyone who would like to speak in favor of, against or had any comments regarding the application. Todd and Betty Foster, neighbors to the north submitted a letter of support stating “We understand your desire to put in a shed between our properties. Todd and I have talked this over and are fully okay with your decision.” There were no additional comments.

WHEREFORE, a motion was made by Member Lee and seconded by Member Kiefer to close the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCE:

1. Whether an undesirable change will be produced in character of neighborhood or a detriment to nearby properties will be created by the granting of the area variance: Yes No

Reasons: No. The granting of an area variance for the proposed shed structure would not produce an undesirable change to the character of the neighborhood. There is an existing shed in this location that is in poor condition and replacing it with a new structure will enhance the applicant’s property and the neighboring properties. many of which have shed structures and/or garages.

2. Whether the benefit sought by the Applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance: Yes No

Reasons: No, by a majority vote. Because of the size of the lot and placement there is no viable alternative for the location of the proposed shed. The size of the proposed shed is larger than the existing shed, requiring a variance. The benefit of the replacement shed in the general location of the existing shed could not be achieved by another method. The shed could be placed elsewhere on the property, but it would not achieve the benefit of this location.

RECORD OF VOTE

MEMBER NAME	YES	NO	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM (absent)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Whether the requested variance is substantial: Yes No

Reasons: No. The requested side yard setback area variance is not substantial as the required setback is 10 feet and the applicant is requesting 5 feet 7 inches. The proposed shed is a portable structure.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district: Yes No

Reasons: No. The proposed shed will not have an adverse effect on the physical or environmental condition in the neighborhood as the shed will improve its physical condition with the replacement of the failing structure, and the ability to store lawn care equipment within it.

5. Whether the alleged difficulty was self-created: Yes No

Reasons: _____.

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, upon a motion made by Chair Denise Rhoads, duly seconded by Vice Chair David Palen and a unanimous (4-0) affirmation of all Members present as recorded below, finds as follows:

- the Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
 the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: In review of the stated findings of the Zoning Board of Appeals, the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, lies in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, as well as the Board members' inspection of the property, and is conditioned as follows:

STANDARD CONDITIONS:

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or otherwise commence the use within one (1) year from the filing of the variance decision. Any application for zoning/building permit(s) shall terminate and become void if the project is not completed within the eighteen (18) months from the issuance of the permit(s).
2. That the Applicant shall obtain all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application.
3. That the Applicant obtain a Certificate of Occupancy and/or Certificate of Compliance, as required, from the Codes Enforcement Officer.
4. That the Applicant notify the Codes Enforcement Officer on completion of the footing of any project for which a variance has been obtained; and

ADDITIONAL CONDITIONS: The ZBA finds that the following additional conditions are necessary to minimize adverse impacts upon the neighborhood or community:

1. That the Site Plan dated June 30, 2022, prepared by the Applicant, be complied with in all respects; and
2. That in place of the standard condition of an as-built survey, the Codes Enforcement Officer will verify conformance of completed project before a certificate of occupancy /certificate of compliance is issued.

Record of Vote

Chair	Denise Rhoads	Present [Yes]
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Present [Yes]
Member	Dave Lee	Present [Yes]
Member	Sherill Ketchum	Absent

Public Hearing

Applicant: Brandon & Page Clifford
 863 Milford Drive
 Skaneateles, NY 13152
Tax Map #047.-02-05.0

Present: Bill Murphy, Space Architectural Studio;

Mr. Murphy provided a site plan for the project reviewed under village zoning as requested at the site visit, although the property is in the town and guided by town zoning code. The application is proposing more room for the family with the expansion of the deck to the west and south, a porch, and a second floor onto the single story portion of the dwelling. The basement will be expanded to provide an exercise room and bathroom. The modifications will fit better into the neighborhood. He continued saying that he has not had a chance to discuss with the applicants the neighbor letters that were submitted today. The neighbor's suggestion to cut the corner of the proposed deck at a diagonal would reduce the setback variance required. Chair Rhoads asked if the deck would be extended further back, and Mr. Murphy replied that they are not considering that as they are trying to stay with an aesthetic shape to the overall mass of the structure. Member Lee commented that there is a lot of space in the rear of the dwelling to expand the deck without encroaching on the corner. Mr. Murphy explained that they were trying to connect the side deck to the porch area instead of having another set of stairs.

Vice Chair Palen commented that this is a nonconforming lot with a nonconforming structure and the code stated that nonconforming impervious coverage should not be increased. Mr. Murphy said that the lot is small, and it almost needs another district for this street with all the lots small. It is also undersized for a village lot as well although 90% of the village lots are considered nonconforming. Chair Rhoads commented that the lot size itself is in character of the neighborhood. Mr. Murphy said that the house sizes are varied; this would not be the largest dwelling in the neighborhood with the proposed expansion as there are two story homes in the neighborhood. Member Lee commented that the proposal will increase the size of the dwelling although a variance is not required for the expansion. The proposal makes it difficult, as it crowds the dwelling to the northwest, and may impact the neighborhood. Mr. Murphy noted that there is a two story dwelling across the street.

Member Lee commented that the reason they asked for the village analysis is that the neighborhood is more of a village setting than the town. Mr. Murphy said that that was one of the reasons a porch was added to the dwelling to tie into a village setting. Member Kiefer requested clarification on the village analysis and

Mr. Murphy explained that six variances would be required for lot size, lot width, open space, and a few setbacks.

Chair Rhoads asked if anyone would like the public hearing notice read. No one requested the public hearing notice to be read into the record

WHEREFORE, a motion was made by Chair Rhoads and seconded by Vice Chair Palen to consider the proposed action as a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

At this time Chair Rhoads acknowledged that a letter was received from John and Share McCabe 857 Milford Drive and an email from neighbor Tom Higgins that will be placed into the record. She asked if there was anyone who would like to speak in favor of, against or had any comments regarding the application.

Tom Higgins, 854 Milford Drive, said that he is in support of the application with some modifications. He said that Milford Drive was developed with the promise of connection to the village sewer system; however, it was never given, and the lots are on septic systems which makes it difficult for developing the lot. He said that most of the lots are close to the road due to the shape of the lots. He suggested that the 10 foot porch be reduced to 6-8 feet in width. A ten foot width is bulky and changes the character of the neighborhood. The side deck with a 45 degree angle then it will cut back on lot coverage. Landscaping should be placed in front and the side of the deck. There is an old tree on the property line that would have more access to it for maintenance if the deck were notched.

Ken Bennett, 862 Milford Drive, directly across the street. The neighbors need a bigger house for their growing family. They are increasing the living space by 50% and he is not objecting to the proposal. His concern is the proposed porch as no other neighbor has a front porch with everyone using their backyard. A 10 foot deck will be more than a sitting deck and it will not be in keeping with the neighborhood. He agrees with Tom that the width should be reduced to 8 feet and the side deck reduced to 8 feet.

WHEREFORE, a motion was made by Chair Rhoads and seconded by Vice Chair Palen to continue the public hearing on November 1, 2022 at 7:02 p.m.. The Board having been polled resulted in unanimous affirmation of said motion.

Public Hearing

Applicant: Joseph Mollendorf
274 Ruskin Rd
Amherst, NY 14226

Property:
1801 Russell Landing
Skaneateles, NY 13152
Tax Map #063.-03-10.0

Present: Bill Murphy, Space Architectural Studio;

Mr. Murphy said that they are waiting for an updated survey to be provided to show the mean high water mark. He said that the area of the dock is not in the calculations of shoreline structure since it is below the mean high water mark. The requested variance for shoreline structures is required due to the switchback of the stairs to traverse safely to the lake. Counsel Molnar explained that the town received jurisdiction of the

lake to 1,500 feet, and the town now regulates all structures on land and out into the lake. The 240 square foot dock should be included in the shoreline structure calculations.

Vice Chair Palen inquired why the length of the proposed permanent dock needs to be 40 feet or if it could be reduced. Mr. Murphy said that it has to do with the fact that the water is shallow in that area. He continued saying that it would seem to make more sense to have it at 40 feet rather than adding a temporary dock that must be placed in and taken out every year. NYSDEC typically allowed open pile permanent docks out to 40 feet. The lake in that area does stay shallow. Member Lee said that it would be useful to know what the depth of the water is at 8 foot intervals. Member Ketchum had emailed Chair Rhoads as to the length of the neighboring docks in the area.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Lee to consider the proposed action as a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

Chair Rhoads asked if anyone would like the public hearing notice read. No one requested the public hearing notice to be read into the record.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

At this time Chair Rhoads asked if there was anyone who would like to speak in favor of, against or had any comments regarding the application. No one spoke in favor, opposition or had any other comments.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Lee to continue the public hearing on November 1, 2022 at 7:10 p.m.. The Board having been polled resulted in unanimous affirmation of said motion.

Initial Review

Applicant:	TJA Solar	Property:
	274 Ruskin Rd	760 Sheldon Rd
	Amherst, NY 14226	Skaneateles, NY 13152
		Tax Map #0

Present: Mike Frateschi, Dan Frateschi, TJA clean energy; John Li, Bergen & Associates;

TJA Clean Energy is based out of New Bedford, Massachusetts, with Mr. Frateschi having an office in Pompey, New York. They are proposing a 4.3MW AC Solar Array off Sheldon Road. They may be pursuing a PILOT program and have met with Councilor Tucker and Supervisor Aaron. Subscribers to the solar array would receive a discount on their electrical energy bills.

Mr. Li said that the limited use permeable access road to the solar array system will require an area variance due to a small portion of the access driveway crossing a town regulated wetlands buffer. They had considered other options to avoid the wetlands but determined that there were no other options based on the topography of the land. There is an existing field driveway that runs along the proposed driveway. Small wetlands is classified as palustrine emergent wetlands under federal jurisdiction. They do have a 100 foot buffer requirement.

Mr. Frateschi commented that the solar array panels and structures were arranged to avoid any other wetlands in the area. The solar array straddles two parcel that will be merged as part of this project. Chair

Rhoads inquired if the wetlands are a type that would flood during storms and Mr. Frateschi replied that it is not. A site visit will be conducted on October 22, 2022 at 8:30 a.m.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Lee to schedule a public hearing November 1, 2022 at 7:20 p.m.. The Board having been polled resulted in unanimous affirmation of said motion.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Kiefer to rescind the scheduled public hearing until a SEQR determination has been rendered by the Planning Board who will act as lead agency on this application. The Board having been polled resulted in unanimous affirmation of said motion.

Discussion

The board will review the Small Scale Stormwater Guidelines at the next meeting.

There being no further Board business, a motion was made by Vice Chair Palen and seconded by Member Lee to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:48 pm.

Respectfully Submitted,

Karen Barkdull
P&Z Clerk

Additional Meeting Attendees(Zoom):

Pat Bisesi	Jacks
Brian Buff	Mark Tucker
Sharon Tanner	Warren Brothers