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ZBA MEETING MINUTES
TOWN OF LLOYD ZONING BOARD
Thursday, February 8, 2018

1 **CALL TO ORDER TIME: 7:00PM**

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3 **PLEDGE OF ALLEGIANCE**

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5 **ATTENDANCE** **Present:** John Litts, Paul Gargiulo; Russell Gilmore; William Brown;
6 Michael Guerriero, Town Board Liaison,
7 Laura Oddo-Kelly, Secretary to Planning and Zoning
8 **Absent:** Alan Hartman; Anthony Pavese, Chair; Paul Symes; Anthony Giangrasso
9

10 **ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS**
11 **49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**
12
13

14 **New Business:**

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16 **Zammiello/MC of Dutchess, 84 New Paltz Rd, 87.4-3-22, in a R 1/2 Zone.**

17 The applicant is proposing to use a former auto repair shop (Absolutely Automotive) for a
18 construction business. The property was once a commercial non-conforming parcel in a R 1/2
19 zone and has since lost its commercial status due to lack of use for over a year.

20 **Applicant is seeking Commercial Use Variance from the ZBA.**

21 Applicant was present and said he would like to buy the property but would need an Area Use
22 Variance to put his business at the site.

23 Litts inquired as to how the applicant can seek the variance when he does not own the property.

24 Gargiulo said he can with the Letter of Agent that has been provided.

25 A **Motion** to open the public hearing was made by Paul Gargiulo, seconded by Russell Gilmore.
26 All ayes.

27 Litts said he would like to ask a question to counsel before he is willing to make a decision on
28 the project. He is questioning the legalities of the Letter of Agent. Additionally, he said they had
29 discussed buffers and fencing as he is concerned about the property being so close to residential
30 properties.

31 Gargiulo explained with a Letter of Agent a property owner gives up his/her rights to participate
32 to the person who is purchasing or doing any work for them. If the ZBA passes the decision it
33 would be the job of the Planning Board to make sure the applicant adheres to all the factors that
34 would protect the neighborhood.

35 Litts said even though it would be a commercial use it would be a different use. A Use Variance
36 actually changes the use of a piece of property.

37 A **Motion** to extend the public hearing was made by Paul Gargiulo, seconded by John Litts. All
38 ayes.

39 The applicant will provide any additional information to the Building Department before the next
40 meeting.

- 41 Gargiulo explained the process of the ZBA and the Planning Board to the applicant.
- 42 Minutes could not be approved for lack of attendance of regular ZBA members. They will be
- 43 approved next month.
- 44 A **Motion** was made by John Litts, seconded by Paul Gargiulo to adjourn 7:48PM. All ayes.