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By: _____
Rosaria Peplow, Town Clerk

ZBA MEETING MINUTES
TOWN OF LLOYD ZONING BOARD
Thursday, September 14, 2017

1 **CALL TO ORDER TIME: 7:00PM**
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3 **PLEDGE OF ALLEGIANCE**
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5 **ATTENDANCE** **Present:** Anthony Pavese, John Litts, Alan Hartman, Paul Symes, Paul Gargiulo
6 Anthony Giangrasso; Deputy Building Inspector; Michael Guerriero, Town Board
7 Liaison
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9

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11 **ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS**
12 **49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**
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16 **New Business**
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18 **Big Sky Realty, LLC, 261-271 Upper North Road, 87.8-1-2.100, in LI zone.**

19 The applicant is proposing to add a 7,750 square foot addition to an existing 18,500 square foot
20 light industrial building located on the westerly side of North Road. The additional square
21 footage will be used for product warehousing for an existing packaging and fulfillment business.
22 No additional employees are proposed, no new signage is proposed, and no additional daily
23 traffic trips will be generated. Deliveries to the site will be decreased as more warehouse space
24 will be available and pick up trips are anticipated to remain the same.

25 The site is currently serviced with municipal water, and individual septic system, and gas
26 service.
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28 An area variance will be required in accordance with Section 100-17 D. as the current lot
29 coverage of 68% will be increased to 72%; the LI zone permits maximum lot coverage of 35%.
30

31 Zoning 100-17 (D) Nonconformity other than use. A structure that is conforming in use but
32 which does not conform to the height, yard, land coverage, parking or loading space
33 requirements of this chapter shall be considered to be a legal nonconforming structure within the
34 meaning of this section. No certificate of compliance shall be issued that will result in the
35 increase of any such nonconformity.
36

37 Raymond Constantino, owner/applicant, said it is a zoned light industrial area that they are
38 putting an addition on to. He explained that they have a tenant that is a fulfillment center, tea
39 blender and tea merchant who have to ship large quantities of tea orders in sizeable pallets, bales,
40 and feed sacks. They need the addition for much needed storage.

41 John Litts inquired which was the main loading dock and if it was an issue getting in and out
42 with a trailer where the loading docks are located.
43 Constantino said it always is and that they have to turn around in the street, come back and then
44 back in.
45 Paul Gargiulo inquired whether the applicant is only looking for a 4% increase.
46 Pavese said it is already over 35%.
47 Gargiulo said he is at 68% now and wants to go to 72%. It is a total of 37% over the code.
48 Pavese said it is over 33%, he wants to add 4% more for a total of 37%.
49 Litts said he is already at 68% and is looking for a 4% increase.
50 Pavese said it is an existing non-conforming right now. He asked Anthony Giangrasso for his
51 input as a deputy building inspector as far as what the Town's laws provide for this.
52 Giangrasso said in talking about the maximum lot coverage, right now the way the property is set
53 up it would allow 35% of that lot coverage, they've already exceeded up to 68%. He asked
54 Constantino if there was ever a lot line change to the property.
55 Constantino responded that they were two separate parcels at one time. He said that he owns the
56 parcel right next to it and that is why they were able to use a portion of it for the loading dock.
57 Constantino explained that if he were ever to sell the parcel he would have to convey a piece of
58 the property or have an easement to allow easier access in and out of the loading dock.
59 Pavese was concerned about access in and out of the loading dock but said that is not an issue for
60 the ZBA. The ZBA just has to be concerned with the coverage.
61 Giangrasso said Constantino wants 4% more coverage of the property which will put it over
62 again on what the total is supposed to be. That is what the applicant is looking for as far as the
63 variance.
64 Pavese said it was an existing non-conforming so the applicant wants to add to the non-
65 conforming another 4%.
66 Litts said if it is a 35% maximum, as soon as you go to 70%, it has been increased by 100%.
67 Constantino said all the green space and storm drainage is the same.
68 Pavese asked if they could add a level to the building.
69 Constantino said it is already a high building; 21 feet at the eaves.
70 Litts said adding a second story to a warehouse is not feasible because the trucks come in at one
71 level.
72 A **Motion** to set the public hearing for October 12, 2017 was made by Paul Gargiulo, seconded
73 by John Litts. All ayes.

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75 **Administrative Business:**

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77 A **Motion** to accept the Zoning Board Minutes, as amended, from the May 11, 2017 meeting was
78 made by John Litts, seconded by Paul Symes. All ayes.

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80 A **Motion** to adjourn was made by John Litts, seconded by Paul Symes. All ayes. 7:21pm

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