

The Cuba Village Zoning Board of Appeals held a Public Hearing on Tuesday, May 26, 2015 at 7:00 pm.

PRESENT: Lee James, Chairwomen, Board members Deb Donahue, Patti Metler, and John Ricci. Mike Miller could not attend this meeting.

ALSO PRESENT: Diane Wilson, Village Clerk-Treasurer, Trustee Robert Gleason, Doug Rettig, Ellen Scott, Jean LaBarbera, Gary and Brenda Nease, Mary Nease and Jeff Sargent.

Chairwoman James calls the meeting to order and the Pledge of allegiance was recited.

MINUTES: The Zoning Board was given copies of the minutes from the last meeting which was 4-23-13. The Board dispense with the reading of the minutes and a **MOTION WAS MADE BY DEB DONAHUE AND SECONDED BY PATTI METLER AND ALL APPROVED.**

At this time the Public Hearing on the Variance Request from Jeff Sargent was opened.

Jeff discussed his plans for the property at 121 W. Main Street. He demolished the house and filled in the hole. The reason for buying this property is for expansion, because he has more volume of business and is continuing to grow. He is asking that a Use Variance be granted to rezone the property at 121 W. Main St. from a Residential 2 to Commercial. The Area Variance is for the addition to his existing building which borders the 121 W. Main St. property. The property at 121 W. Main Street would be used for storing equipment and he would like to bring this property down to the level of his existing property. Lee asked if there were any questions from the Board. There were none. She then asked if there were any questions from the audience. Ellen Scott asked if there would be a buffer to soften the noise for the residents of that area of West Main St. The adjoining neighbors Gary and Brenda Nease said that they have had no problem with noise. They can't even see the equipment. Jeff explained that the only noise would be the trucks starting up to proceed with their routes. The regular business of the day is done early evening. Doug Rettig felt that there wasn't any problem bringing the property at 121 W. Main St. down 4 feet to meet existing property.

USE VARIANCE: Lee stated that Jeff does not meet the four criteria's for the use variance and he created the hardship was self created when he knowingly purchased property that was zoned a Residential 2. His only option is to petition the Village Board to amend the zoning law to extend the Commercial area to encompass the property at 121 W. Main St. The information to petition the Village Board is ARTICLE 1, §200-6-B of the Zoning Law.

Discussion took place on leaving the sidewalk at 121 W. Main Street. Jeff needs to approach the Village Board on this.

Lee stated that she is supportive of Jeff and his business.

A MOTION WAS MADE BY PATTI METLER AND SECONDED BY JOHN RICCI TO CLOSE THIS PUBLIC HEARING. ALL APPROVED.

TIME: 7:24 PM

A MOTION WAS MADE BY DEB DONAHUE AND SECONED BY PATTI METLER TO PASS ON THE SHORT ENVIRONMENTAL ASSESSMENT FORM BASAED ON THE FACTS FOR THE AREA VARIANCE OF JEFF SARGENT REGARDING EXPANSION ON HIS EXISTING PROPERTY. ALL APPROVED.

A MOTION WAS MADE BY DEB DONAHUE AND SECONDED BY JOHN RICCI TO DENY THE USE VARIANCE FOR THE PROPERTY AT 121 W. MAIN ST. BASED ON JEFF DOES NOT MEET ALL OF THE OR ANY OF THE FOUR CRITERIAS IN ARTICLE IV, SECTION 200-19, B, (2), WITH APPROVAL OF THE AREA VARIANCE FOR THE BUILDING ADDITION AT THE CURRENT LOCALTION. ALL PASSED ON THE USE VARIANCE DECLINATION AND APPROVAL OF THE AREA VARIANCE.

OLD BUSINESS: N/A

NEW BUSINESS: N/A

WITH NO FURTHER BUSINESS TO DISCUSS A MOTION WAS MADE BY JOHN RICCI AND SECONDED BY PATTI METLER TO ADOURN THIS MEETING.

TIME: 7:27PM

**RESPECTFULLY SUBMITTED
D. WILSON**