

## ZONING BOARD OF APPEALS

Town of North Dansville & Village of Dansville  
14 Clara Barton Street  
Dansville, NY 14437

### Minutes for Monday, September 25, 2023

Meeting was called to order by Mark Specchio at 7:00pm

#### Pledge of Allegiance

#### Roll Call:

Board Members:	Chairperson, Mark Specchio – Present
	Mary Ann Holden - Absent
	Dick Gillard - Present
	Karen Schleyer - Absent
	Chuck Infantino Present
	Bill Crowell (Alt.) Absent
	Jennifer Howe (Alt.) Present

Code Officer Tammy Malone was present.

Village Attorney John Vogel was present.

<b>Guests:</b> Dennis Weidman	Janice Holmes	Barry Haywood (Village Mayor)	Robert Waltman
Marleen Mark	Angelo Henchen	Gary Kramer	
Paul Keeley	Mike Martina	Ted Mark	
Quinn Golden	Billie Martina	Kim Coleman	
Jon Penna	Sherry Kramer	Bill Bacon	
Jim McLaughlin	Joe Coburn	Peter Bacon	
Dan Campitello (DRS)	Gerald Welch Jr	Henry Zawodzinski (Hodgson Ross)	
Karen Norton	Joe Gibbons (SWBR)	Dan Compitello (DRS)	
Chuck Mendy	Gillian Corde (DePaul)	Mufuta Tshimanga (Bergmann)	

#### Approval of 08/17/2023 Minutes:

**A Motion** was made by Dick Gillard to accept the July 20, 2023 Minutes.

**2<sup>nd</sup>** by Chuck Infantino

All were in favor with **4 AYE, 0 NAY, 0 Abstain.**

#### NEW BUSINESS:

- **APPLICATION from** 10 School Street/ Paul & Alexandra Keeley – Area Variance for fence  
The pre-existing fence was replaced in the same footprint with the same type.  
The bushes are shorter on the School Street side now than in 2008 when they bought the home, and removed from the West Liberty Street Side  
This may fall under existing- non-conforming if the fence was originally put in before zoning.

**A Motion was made by** Chuck Infantino to set a *Public Hearing* for 10 School St on October 19, 2023 @ 7pm.

**2<sup>nd</sup>** by Dick Gillard

All were in favor with **4 AYE, 0 NAY, 0 Abstain.**

- **APPLICATION from 10160 Sandy Hill Rd/ Linda McLaughlin for a Special Use Permit**  
 Jim McLaughlin was here to represent his wife, Linda.  
 They have purchased the Material Rewards building at 10160 Sandy Hill Rd and requesting a Special use permit to run a yoga studio /Fitness and Health business.  
 Zoned as Agriculture but was previously a commercial business that was granted a variance.  
 Traffic shouldn't be any different to when the prior business was running.  
 There are 2 parking lots that can hold up to 50 vehicles in total.  
 Classes will be held at various times of the day with approximately 8-10 people per class on average.  
 Since the property is on a hill and between two roads, there isn't room for agriculture.

**A Motion was made by Dick Gillard to set a *Public Hearing* for 10160 Sandy Hill Rd on October 19, 2023 @ 7pm.**

**2<sup>nd</sup>** by Chuck Infantino

All were in favor with **4 AYE, 0 NAY, 0 Abstain.**

**PUBLIC HEARING** for 2 Eagle Street was opened at 7:15 pm but Mark Specchio

- Amber Henchen at 2 Eagle Street requesting a Special Use Permit to run an Eye Lash Extension Business out of her house.
  - Applicant was asked if there were any changes. There were no changes, but she did present the Board with the plan showing square footage which showed the area of the salon would be about 19% of the square footage of the dwelling.
  - The applicant also handed in the receipts for the certified letters and a signature sheet.
  - There was a brief discussion between the board members
  - The floor was open to the public to speak. No one commented or had questions.

**A Motion to close the public hearing** was made by Dick Gillard.

**2<sup>nd</sup>** by Chuck Infantino

All were in favor with **4 AYE, 0 NAY, 0 Abstain.**

**The Board when through the Facts and Findings and a Roll Call Vote was taken.**

**A motion was made by Dick Gillard to Grant the Variance.**

**2<sup>nd</sup>** by Chuck Infantino

<b>Roll Call Vote:</b>	<b>Mark Specchio –</b>	<b>AYE</b>
	<b>Dick Gillard -</b>	<b>AYE</b>
	<b>Chuck Infantino-</b>	<b>AYE</b>
	<b>Jennifer Howe (Alt.)-</b>	<b>AYE</b>

**4 AYE, 0 NAY, 0 Abstain.**

***Variance is GRANTED***

**The public hearing was closed** at 7:20 pm by Mark Specchio.

**PUBLIC HEARING Continued (from 8/17/23) for Delaware River Solar Farm** at N Main St.

- Applicant is requesting a Special Use Permit for a Solar Farm and was asked if there were any changes. DRS presented the board with an updated packet showing the change in the fire access road and discussed the changes made per the request of the fire code officer. Also handed in the receipts for the certified mailings.
  - Front turnaround stays the same
  - the access road now goes all the way to the back of the project and has a North and South hammer head turns that are 150' (two fire truck lengths on each side)
  - Also, Foot gates on the back of the project

### **The Floor was opened to the Public to Speak.**

There were comments from the public with questions and concerns of:

- Leaving concrete and metal in the ground after dismantling of the project
- Traffic safety
- The beauty of the Village/Town eye level and at a sky view
- Life Safety – Airport issues with planes landing in the solar farm and emergency personnel/equipment getting to them
- Is this up the NYS Fire code?
- Historic land
- Now that the project is reduced in size how many homes will it service?
- Environmental concerns
- Should not be near a school

Delaware River Solar representative, Dan Campitello replied to some of the questions/concerns.

**A Motion** was made by Dick Gillard to continue the public hearing open at the next meeting, Oct. 19, 2023 at 7pm.

**2<sup>nd</sup> by** Chuck Infantino

All were in favor with **4 AYE, 0 NAY, 0 Abstain.**

**NEW BUSINESS:** Representatives from DePaul and Marathon Engineering were present to request extensions for the previously approved variances so they can apply for and receive state funding.

The representatives were asked if there were any changes to the site plan. There were no changes.

They were asked if the project was for the area near Tops and the Kings Daughters Home. They replied, yes, and they have already purchased the property and construction is planned to start in 2024.

**A Motion was made by** Chuck Infantino to extend the variances for 6 months.

**2<sup>nd</sup> by** Dick Gillard

**All were in favor** with **4 AYE, 0 NAY, 0 Abstain.**

### **OLD BUSINESS:**

There was no Old Business to discuss

### **ADJOURNMENT**

**A Motion** was made by Dick Gillard to adjourn the meeting

**2<sup>nd</sup> by** Chuck Infantino

All were in favor with **4 AYE, 0 NAY, 0 Abstain.**

**Adjourned** at 9:20pm

**Next Meeting** is Thursday, October 19, 2023, at 7pm – Town Hall 14 Clara Barton St. Dansville.

Jennifer will publish the Public Hearings for 10 School Street and 10160 Sandy Hill Rd on the Town and Village Websites and in the Village & Town appointed newspaper.

Respectfully Submitted,  
Jennifer Howe, ZBA Secretary