

**ZBA Meeting and Public Hearing
November 27, 2017, 7:00pm
Village Municipal Center**

Attendance: ZBA: Chairwoman Molly Celani, Members John Freed and Lisa Ackert; Absent: Members Ed Fish and George Macura

Village Staff: Richard Roberts, Village/ZBA Clerk

Press: None

Others: Mr. Steven Kinley, CIREC, Stewarts Shops, Ms. Laurie Pacyna, Mr. Eric and Mrs. Vicky Vernon, Mr. David and Mrs. Carolyn Morris

Chairwoman Celani called the Meeting to order at 7:00pm.

Ratify Meeting Minutes: Mr. Freed moved the ratification of the Meeting Minutes of October 23rd as circulated. Mrs. Ackert seconded the motion and it carried unanimously.

Public Hearing – Stewart’s Shops – 50-56 Quaker St.: Chairwoman Celani called the Public Hearing to Order at 7:00pm concerning the Use/Area Variances requested by Stewart’s Shops at the above locations. The Chairwoman reviewed the rules for public comment observed at all Public Hearings convened by the Village and recognized Real Estate Representative Steven Kinley from Stewart’s. She then inquired of the Clerk if anyone signed in to be recognized in terms of public input.

The Clerk advised that he had received written correspondence from Laurie Pacyna or 48 Quaker St., and he read the correspondence into the record. Ms. Pacyna noted several concerns in her correspondence, namely relating to how her property value might be affected if the Variances were granted, due to the possibility of increased noise, pollution, litter, and lack of privacy.

The Clerk then advised that the first person signed in to be recognized was Eric Vernon. Mr. Vernon echoed the sentiments expressed by Ms. Pacyna—the potential lack of privacy, noise and odor concerns (If the dumpster was located in the rear of the store). Mr. Vernon expressed that he felt that the location of the store as proposed would likely decrease his property value. He feels that the noise associated with traffic and deliveries/trash removal could be quite intrusive given the proximity of the proposed location. He would prefer that deliveries be made to the other side of the store and that access to the rear of the building be restricted.

Next to be recognized was David Morris. He and Mrs. Morris live adjoining the present Stewarts store location. He advised that Stewarts has been their neighbor for close to 30 years, and that they have been excellent throughout. He feels that the prior owner of the property (multi-family apartment) was far more difficult to deal with in terms of noise, odors from garbage, etc. Mr. Morris expressed that if he ever has an issue with Stewarts, he speaks with the manager of the store and it is addressed quickly and courteously. He is supportive of their efforts to expand. He feels that Stewarts will continue their “good neighbor” policy and that the competition and level of service that they will bring will be good for Granville. Mrs. Morris added that she shared these sentiments and that deliveries have always been handled in a courteous and professional manner.

There were no other requests for public comment.

Following the receipt of public input, Chairwoman Celani fostered a period of discussion between the constituents with concerns and Mr. Kinley. Numerous potential means to mitigate concerns were discussed including fencing/bushes, screening of the trash/dumpster area, alternate location/placement for the store, etc. While no decisions/conclusions were reached, all parties seemed to understand that the ZBA's role was to attempt to air and foster solutions to concerns, and that the ZBA's focus was fairly narrow—that of considering the exceptions requested. Several ZBA members advised those who expressed concerns that this matter would return to the Planning Board for Site Plan Review if the variances were approved. The process of Site Plan review is also public/open, and perhaps would represent a better opportunity for specific mitigating measures (fencing, screening, etc.)

There being no further public input, Mr. Freed moved that the Public Hearing be closed in this matter. Mrs. Ackert seconded the motion and it carried unanimously.

Public Hearing—Jennifer Underwood—76 River Valley Drive: Chairwoman Celani then called to Order the Public Hearing concerning the Area Variance application for Jennifer Underwood at 7:40pm.

There was no public comment concerning the Area Variance application.

As such, Mrs. Ackert moved that the Public Hearing be closed at 7:40pm. Mr. Freed seconded the motion and it carried unanimously.

Mr. & Mrs. Vernon, Mr. & Mrs. Morris, and Ms. Pacyna left the meeting at 7:45pm.

Deliberations: Chairwoman Celani asked the Board's pleasure concerning the Variance applications pending before the ZBA.

- A. Jennifer Underwood: Mrs. Ackert noted the lack of public comment concerning the Area Variance application for Ms. Underwood. She stated that she felt that the improvements proposed to the property would not alter the essential character of the neighborhood, or considered "substantial" in nature. She did not see that the proposed improvements would be a detriment to the neighborhood, and expressed that the difficulties associated with the application were not self-created, but more of a function of the zoning classification seen within the subdivision (Light Residential District). As such, she moved approval of the Area Variance application as submitted, with a minimum of a 6' setback to the Eastern Boundary and a minimum of an 8' side setback to the Western Boundary. Mr. Freed seconded the motion and it carried unanimously.
- B. Stewart's Shops: The Board reviewed several procedural items associated with Stewart's applications: An advisory opinion from the Village Planning Board (no objections), the legal advertisement and courtesy notices provided, and the referral to the County Planning Board/Commission (referred 11/14, no input received). Given the concerns expressed and the lack of input received from the County Planning Board/Commission, Mr. Freed sponsored a motion to continue/adjourn the deliberations pertaining to the applications at hand to December 18th at 7:00pm. It is hoped that this extension will allow an opportunity for the aggrieved parties to further discuss their concerns with Stewart's representatives if they are so

inclined, and also allow the Board the opportunity to review the advisory opinion from the County Planning Board.

There being no other business to consider, Mr. Freed then sponsored a motion to adjourn the meeting at 8:05pm. Mrs. Ackert seconded the motion and it carried without objection.

Respectfully Submitted,

Richard H. Roberts
Village/ZBA Clerk