

Planning and Zoning Commission
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**PLANNING AND ZONING MEETING MINUTES
JULY 1, 2010**

Chairman Ackerman called the meeting to order at 7:04 p.m. at Mallory Town Hall. Commissioners present: Chairman Barbara Ackerman, Secretary Mark Weber, Jeannene Burruano, Ted Hollander, Neil Volkmar, Paul Voorhees, and alternate Monty Clark. Also present were Ron Cooper, Zoning Enforcement Officer and Michele Battaglia, Clerk. Absent were Commissioners John Dwyer, Bruce Hoag and Jill Finch. There was no audience member recording or video taping the meeting.

Commissioner Clark recused himself from the Public Hearings.

Public Hearings

- 1. Continuation - Gani Lekaj, 10 Quaker Ridge Road:** Gani Lekaj and Azem Lekaj were in attendance. Chairman Ackerman stated that the public hearing was continued due to needing Health Department approval, which was received. There was no further information added to the record.

Commissioner Hollander motioned to close the public hearing. Commissioner Volkmar seconded the motion. All voted in favor.

- 2. Continuation - Tim Beatty, 50 Route 39 North:** Tim Beatty was in attendance. Chairman Ackerman stated that the public hearing was continued due to needing Health Department approval, which was received. Mr. Beatty reiterated that most of his equipment is stored off-site and that there is very little noise in the morning, if any. He stated that there is more noise coming from the Town garage and when the school buses start up in the morning.

Commissioner Hollander motioned to close the public hearing. Commissioner Volkmar seconded the motion. All voted in favor.

- 3. Ron Harrison, 58 Route 39 South:** Ron Harrison was in attendance. Mr. Harrison stated that he conducts snow plowing in the winter months, and moves hay and manure in the summer months. He also stated that there are no materials stored on site, and that all of his equipment is located within his barn. A map showing the barn area in relation to the house and the road, as well as, a photograph was submitted into record. Health Department approval has been received. Mr. Cooper will walk the property with Mr. Harrison to determine if there are any wetlands on the property. Due to this site walk needing to take place, the public hearing is to be continued.

Commissioner Volkmar motioned to continue the public hearing till August 5, 2010. Commissioner Hollander seconded the motion. All voted in favor.

Old Business

- 1. Continuation - Gani Lekaj, 10 Quaker Ridge Road:** Commissioner Weber motioned to deny the special permit application, but that the use of the property could continue as a legal non-conforming use. Commissioner Hollander seconded the motion. All voted in favor.

- 2. Continuation - Tim Beatty, 50 Route 39 North:** Commissioner Volkmar motioned to deny the special permit application, but that the use of the property could continue as a legal non-conforming use. Commissioner Hollander seconded the motion. All voted in favor.

New Business

- 1. Resident Contractor Special Permit Application(s):** The following applications were received:

1. Maryanne Febbraio, 8 Sunny Lane: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
2. Frank Nutter, 16 Leach Hollow Road: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
3. William Hearing, 3 Route 39 South: As per the meeting on June 3, 2010, Mr. Hearing was to submit more information to the Commission. Michele Battaglia contacted the Hearing's and they stated that if the Triaxle was on the property, it is parked in the driveway and it cannot be seen from the road. They also stated that they have no neighbors. Commissioner Volkmar and Commissioner Voorhees both stated that they can see the Triaxle from the road. It was determined that Mr. Hearing needs to come to the Commission with more information.

Commissioner Clark rejoined the meeting at 8:20 p.m.

- 2. Glaister, 30 Quaker Ridge Road – Application for a special permit for an accessory apartment.** Chairman Ackerman read through the application. The apartment has been in existence since the house was built. A public hearing has been set for August 5, 2010.

Additional Items

- 1. Audience Participation:** There were concerns from audience member Gary Albert regarding the resident contractor determination letters. Commissioner Hollander stated that the Commission needs to take a look at the wording of the letters at the next regulation meeting.
- 2. Minutes:** Commissioner Volkmar motioned to accept the meeting minutes of June 3, 2010; Commissioner Clark seconded the motion. All were in favor.
- 3. Correspondence:** There was no correspondence.
- 4. Zoning Enforcement Officer's Report:** Ron Cooper, ZEO read into record the June 2010 ZEO Report.
- 5. Committee Reports:** There were no committee reports.
- 6. Chairman's Report:** The postcard for the POCD Survey is complete and has been printed. The POCD survey has been linked to the Town's website and an article has been submitted to the local newspapers.
- 7. Commissioner's Comments:** There were no Commissioner comments.

Commissioner Volkmar motioned for adjournment. Commissioner Burrano seconded the motion and all were in favor. Meeting was adjourned at 8:33 p.m.