

## ZONING BOARD OF APPEALS

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

**Minutes for Thursday, January 19, 2023**

**Meeting was called to order** by Mark Specchio at 7:01pm

### Pledge of Allegiance

### Roll Call:

Board Members:	Chairperson, Mark Specchio – Present
	Mary Ann Holden - Present
	Dick Gillard - Absent
	Karen Schleyer - Present
	Chuck Infantino Present

Zoning and Code Officer, Tammy Saylor Malone was present.

Village Engineer Sherman Gittens was present.

Village Attorney John Vogel was present.

<b>Guests:</b> Jeff Wiedrick	Samantha Davis
Allie Oliver-Burns	Sherry Kramer
Gary Kramer	Marleen Mark
Chuck Mendy	Jan Holmes
Charles Perkins	Henry Zawodzinski
Lou Colella	Bill Bacon
Sherrie Reilly	William Kern
Dan Campitello, DRS	Kristen Jacobs
John Derrenbacher	Joanne Derrenbacher

**Public Hearing** Continued for 8 Saylor Street variance and was called to order Thursday, January 19, 2023, at 7:03pm by Chairperson Mark Specchio.

William Kern presented a picture to the board, showing where the sign will actually be placed, as requested at the prior meeting.

William Kern was asked if he had any changes to his application. Mr. Kern stated that he has made an adjustment to the size of the sign, reducing it to 4ft x 8ft (the size of a sheet of plywood).

Dick Gillard asked if he would consider reducing the size more since the code currently states sign size as 2ft x 2ft. Mr. Kern replied, he would not. He said he has already reduced the size by more than 50% and he wants people to be able to read it as they come down the hill into the Village. He stated it will not have lighting, it wouldn't be blocking traffic and it is not near other houses.

Karen Schleyer voiced her concern that this location is zoned as residential not commercial. William Kern said he could park his trailer there but wants it to be more professional. Zoning/Code Officer, Tammy Malone stated that there was a code where Commercial vehicles are not allowed to be parked overnight in a residential area.

The floor was opened for discussion, concerns, and questions.  
A motion was made by Mary Ann Holden to close the Public Hearing.  
2<sup>nd</sup> by Karen Schleyer  
All were in favor with 5 AYE, 0 NAY, 0 Abstain.

The Board went through the Area Variance Facts and Finding Decision Form at the December 15, 2022 meeting and was reviewed by the members.

Motion was given by Dick Gillard to vote for approval of requested variance.

2<sup>nd</sup> by Mary Ann Holden

Roll Call Vote was taken:

Mark Specchio -	Nay
Mary Ann Holden -	Nay
Dick Gillard-	Nay
Karen Schleyer -	Nay
Chuck Infantino –	Nay

The Variance was **Not Granted** with 0 AYE, 5 NAY, 0 Abstain

### **Solar Project - DRS:**

Chairperson Mark Specchio requested that communications going forward to be done so through the attorneys.

At the December 15, 2022, meeting it was requested to process the application as 5 separate setback requests instead of 1. On advice from the Village Attorney, it was decided to go through the Facts and Findings as 1 application, not 5 separate applications.

DRS Attorney, Henry Zawodzinski and Dan Campitello with DRS asked the board to consider each setback separately because there may be a way the project could work is certain setbacks don't pass. Dan also reminded the Board they did reduce 2 setbacks in August at the Boards request.

DRS Attorney, Henry Zawodzinski stated their engineer has the 5 separate applications today to present to the Board to vote on separately tonight.

Mark Specchio asked if DRS was withdrawing their application and submit the new 5 individual applications. After a brief discussion DRS Attorney requested it be noted that the Board requested to withdraw and resubmit 5 applications.

There was a short break requested by DRS so they could discuss their next action.

Once the hearing came back in session, it was decided the Board would accept an amendment to the application.

DRS stated they wish to amend the application and vote tonight.

**A Motion** was made by Maryann Holden to accept the amendment to the application.

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

All were in favor with 5 AYE, 0 NAY, 0 Abstain.

**A Motion** was made by Mary Ann Holden to continue this at the next meeting to go over each variance Facts and Findings and vote, February 16, 2023.

2<sup>nd</sup> by Karen Schleyer

All were in favor with 5 AYE, 0 NAY, 0 Abstain.

**A Motion** was made by Mary Ann Holden to Adjourn the meeting.

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

All were in favor with 5 AYE, 0 NAY, 0 Abstain.

Meeting was adjourned at 7:55pm.

Jennifer Howe will finish paperwork for 8 Sylor Steet variance for the County and notify the County of the Amendment to the Solar application.

**Next Meeting** is February 16, 2023, at 7pm – Town Hall 14 Clara Barton St. Dansville.

Respectfully Submitted,  
Jennifer Howe, ZBA Secretary