

**TOWN OF PARMA
ZONING BOARD OF APPEALS
FEBRUARY 15, 2018**

Members Present: Dan Melville
Stephen Shelley
Dean Snyder (arrival at 7:06 p.m.)
Tim Thomas

Members Excused: Veronica Robillard, Jim Zollweg

Others Present: Dennis Scibetta, Art Fritz, Blake Keller

Public Present: Matt Bucci, Roger Cavallaro

The meeting was called to Order by Acting Chairperson Thomas at 7:00 p.m. He explained the function of the ZBOA and the decision-making process. He explained that this is a five member board and a quorum of three is required to pass a motion.

TABLED BUSINESS FROM DECEMBER 21, 2017

1. ROBERT CHRIST – 1060 HILTON PARMA CORNERS RD

The application of Robert Christ, owner, for an area variance at 1060 Hilton Parma Corners Road. The applicant is proposing to expand a use variance by constructing an 864 square feet addition to an existing building on this property that is currently being used as commercial. The applicant is requesting this expansion of a commercial use on a residentially zoned property in accordance with Town Zoning Article 12, subsection 165-91. This property is currently zoned Agricultural/Conservation (AC).

Dennis Scibetta reported that he has had no contact from the applicant with any information. Tim Thomas felt that the Board was very specific with the information they were looking to see and by certain dates and the fact that he has made no attempt to contact the Town or come to the meeting is concerning. He is ok with this application being denied and the applicant can refile if he would like to.

After discussion, a **Motion** was made by Dan Melville to **deny** the application of Robert Christ, owner, for an area variance at 1060 Hilton Parma Corners Road to expand a use variance by constructing an 864 square feet addition to an existing building on this property that is currently being used as commercial. The Board requested very specific information at the December 21, 2017 meeting that has not been provided to the Town or this Board and there has been absolutely no communication from the applicant.

Seconded by Stephen Shelley. **Motion carried to deny (3-0)** (**Ayes:** Dan Melville, Stephen Shelley, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

Acting Chairperson Thomas polled the Board:

Dan Melville - My denial vote was because the applicant failed to bring in the information that was requested at the December meeting so he felt he could not move forward with this application and make a decision.

Tim Thomas - My reason for the denial is that the Board was very specific in the meeting minutes of December about what would be required to consider this application. That information was never provided to the Board or Town and there has been absolutely no communication whatsoever to the Building Department right up to the start of this meeting.

Stephen Shelley - My reason to deny is for the same reasons as already stated with the addition that the applicant did not even come to this meeting to present any further information which we would normally expect.

NEW BUSINESS

2. ROGER CAVALLARO, III – 14 CONNIES LANE

Application of Roger Cavallaro, III, owner, for 2 area variances at 14 Connies Lane. The applicant is proposing to erect a 2,400 square foot pole barn and is requesting relief from Town Zoning Article V, subsection 165-33.C.2 which limits the total area of accessory structures to 600 square feet and Town Zoning which states by definition that accessory structures shall be subordinate in area to the principal building, which is 2,304 square feet. This property is currently zoned Medium Density Residential (MD).

Roger Cavallaro, III, stated he would like to build a 2400 square foot pole barn to store 10-12 classic cars. There will be no work done there. There will be concrete floors and no electric to the building. He further explained that he was storing them off-site but he lost the storage a couple months ago. All of the cars being stored are old classic cars. Tim Thomas asked about code violations with regards to the unlicensed vehicles. Art Fritz stated because of the application any violation is on hold until the Zoning Board makes a ruling. If this is approved then the cars would be stored inside, if denied he will have to get rid of the vehicles.

The concern is that this request is 4x's the allowed size. Tim Thomas asked if the applicant had considered a smaller building. The applicant stated that he could not because he would have to sell some of the cars. Tim Thomas also asked Dennis Scibetta that with the amount of requests they are getting from residents for large accessory structures is there a possibility that the Town Board will look at this and make some changes. Dennis Scibetta said that the Zoning Board liaison, Blake Keller did have some discussion with the Town Board about these structures and they will be reviewing the comprehensive plan but that is not something that will be addressed in the short term.

Acting Chairperson Thomas read a letter from Matt and KelleyAyn Bucci, 20 Connies Lane, dated February 15, 2018. The letter stated that while they are not against the pole barn being erected because it would be nice to eliminate seeing the unlicensed vehicles in the driveway. They did have concerns with the size of the building and look of the structure as this will be able to be viewed right from their dinner table. This structure will be bigger than some houses in the neighborhood. He feels this is an unreasonable request that is self-created. They had some questions for the applicant.

They asked why he couldn't continue to rent offsite space. The applicant stated that it is expensive and they were stored in a barn with other vehicles and things were being stolen. He would like to keep them more secure. Tim Thomas asked if the applicant had checked into other offsite locations. Mr. Cavallaro stated that in order to rent a single storage unit for each car the cost would be \$150/month per car.

Does he need an additional barn to store 12 vehicles with a 6 car garage as well in a residential neighborhood, and will it completely eliminate cars stored outside? The applicant stated that this would allow him to get all of the vehicles out of the driveway. He has had these cars for 20 to 25 years.

Will the barn be used to do repair work? The applicant stated there will be no repair work done; any work would be done in the residential garage.

What will the wall height be? 12 feet

Will the pole barn have metal siding/roof? Yes

Will the applicant be cutting down any trees to build this? No

Does he plan on putting a driveway to the barn, if so where? The applicant does not plan on having a driveway.

Could the location change from where currently proposed? The structure will be in the NE Corner as per the map.

Estimated date of construction? The applicant would like to start in April if possible.

Public Comment:

Mr. Bucci stated he would like to keep the neighborhood characteristically nice. He is not as concerned about the size as he is what it will look like. He would like the building to be dressed up and not just a standard metal building.

Public Hearing: Closed

Dean Snyder stated that one of his concerns is that this variance would run with the property and the Board should look at the impact on the neighborhood for the life of the building. If this property is sold in the future this structure will probably not be used for only storage and it is not realistic to think that at some point electric and a driveway would be added. He feels that there are other means feasible when doing the balancing test, which is comparing what the need to the applicant is compared to the impact on the neighborhood. The applicant could decrease the size of this building instead of being 400% more than the allowable size. If the request had been for twice the size allowed, that would be much more palatable. This is not subordinate to the primary structure. The code is in place for a reason. This would exceed anything approved in the past.

The applicant stated he was unwilling to reduce the size of the accessory structure.

Board Discussion: Art Fritz reported that notifications were in order, the request was returned by Monroe County as a matter of local determination, and that this is a Type II action under SEQR and no further review is required. Dennis Scibetta stated that he has spoken to the neighbor and they support this and they also had to go through this process.

After discussion, a **Motion** was made by Dean Snyder to **deny** the application Roger Cavallaro, III, owner, for 2 area variances at 14 Connies Lane to erect a 2,400 square feet pole barn and to grant relief from Town Zoning Article V, subsection 165-33.C.2 which limits the total area of accessory structures to 600 square feet and Town Zoning which states by definition that accessory structures shall be subordinate in area to the principal building, which is 2,304 square feet. This property is currently zoned Medium Density Residential (MD).

In making my determination:

- The benefit can be achieved by other means feasible to the applicant. The applicant currently has the opportunity to store vehicles and although it is costly to have a private storage facility, this is an excessively large number of vehicles to store on a residential property.
- There will be an undesirable change in neighborhood character or to nearby properties. This pole barn will be in clear view of the neighbors on each side of it. Although the proposed building does not include a driveway or electric, this will be permanently part of the property and there is no indication that in the future those would not be added. This is a very large building that is not hidden by shrubbery or trees in the proposed location.
- The request is substantial. It is approximately 400% more than what is currently allowed. It is proposed to house 12 vehicles on a property that currently has a 6 car garage with 6 cars within it.
- There will be no adverse physical or environmental effects.
- The alleged difficulty is self-created. Using the balancing test, the benefit to the applicant does not outweigh any detriment to the health, safety and welfare of the community.

Seconded by Dan Melville. **Motion carried to deny (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

Acting Chairperson Thomas polled the Board:

Dean Snyder – My motion stands for my reason to deny.

Stephen Shelley – This structure is 400% larger than what is allowed according to the Code. It is also larger than the existing house on the property.

Tim Thomas – He believes there are other means feasible to the applicant. Offsite storage was discussed and although costly there would be an opportunity to store at least some of these vehicles. This would create an undesirable change to the neighborhood character and nearby properties. The structure would be completely metal and the size is 400% more than what is currently allowed. The applicant did state when asked if he would be able to reduce the size of the structure that that was not an option that he was willing to consider. The fact that this building should be a subordinate structure to the primary residence was a heavy factor in his decision for denial.

Dan Melville – His denial was based on the fact that this structure is so substantial and it becomes a permanent part of the property that can be used differently in the future. The difficulty is self-created.

SPECIAL PERMIT RENEWALS

3. ANDREA MACDONALD – 744 PECK ROAD

Application was received from Andrea MacDonald, owner, for renewal of a Special Permit to operate a horse boarding facility at 744 Peck Road. Current zoning of this property is Agricultural Conservation (AC) which allows this use with a Special Permit.

Art Fritz reported that he inspected the property on January 19, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file.

A **Motion** was made by Stephen Shelley to **approve** the application of Andrea MacDonald, owner, for renewal of a Special Permit to operate a horse boarding facility at 744 Peck Road, with the following conditions:

1. Number of horses boarded not to exceed 25 horses, regardless if they are owned by the property owner or being boarded.
2. All requirements are to be met in accordance with 165.76.A.-1.
3. Renewable in March 2020.

Seconded by Dean Snyder. **Motion carried to approve (4-0) (Ayes:** Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

4. GREG STAHL PROPERTIES, LLC – 4621 RIDGE ROAD WEST

Application was received from Greg Stahl Properties, owner, for renewal of a Special Permit at 4621 Ridge Road West to display and sell automobiles in accordance with Town Zoning Article 9, subsection 165-78. The property is currently zoned Highway Commercial (HC) which allows this use with a Special Permit.

Art Fritz reported that an Inspection of the property regarding the conditions of the Special permit was completed January 19, 2018 and there were no violations of the Special Permit. There are no complaints in the file. There have been no issues with this property and the applicant keeps the maintenance up on the property.

Following discussion, A **Motion** was made by Stephen Shelley to **approve** the application of Greg Stahl Properties, owner, for renewal of a Special Permit at 4621 Ridge Road West to display and sell automobiles in accordance with Town Zoning Article 9, subsection 165-78 with the following conditions as listed in the original Special Permit application:

1. No more than 140 display spaces total.
2. All display areas will be paved.
3. No repairs or storage of junk cars.
4. No outside speakers.
5. No on-street parking.
6. Lighting will be directed away from Ridge Road West and neighboring properties.

7. Hours of operation: Monday through Friday, 9am to 9pm; Saturday, 9am to 5pm; no Sunday hours.
8. Renewable February 2020.

Seconded by Dean Snyder. **Motion carried to approve (4-0) (Ayes:** Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

5. PAVS, LLC – 4704 RIDGE ROAD WEST

The application of PAVS, LLC, owner, for renewal of a Special Permit at 4704 Ridge Road West to operate a public or private golf course in accordance with Article IX, subsection 165-63. This property is currently zoned Rural Residential (RR) district.

Art Fritz reported that he inspected the property on January 19, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file. It was explained that neither the applicant nor the Town realized that this was renewable. The applicant used to have a use exception which predated the Special Permits and lasted forever. The applicant switched to a Special Permit a few years ago which has not been a benefit and they now have to renew.

A **Motion** was made by Stephen Shelley to **approve** the application of PAVS, LLC, owner, for a Special Permit at 4704 Ridge Road West for renewal of a Special Permit to operate a public or private golf course in accordance with Article IX, subsection 165-63 within a Rural Residential (RR) district. The conditions on this permit are:

1. These facilities, services and operations of the golf course are allowed to continue as they exist today, October 16, 2014. Specific details: This is an 18-hole golf course which has directly supporting buildings and infrastructure. It also includes, as an accessory use, a main building with a restaurant/club house, pro shop and event /party room. The seating for the restaurant is 99 and the seating for the event/party room is 99.
2. The hours of operation: **Summer Season**, April 1 through October 31, 6 a.m. to 10 p.m., seven days a week. Special Events/Parties may run to 2 a.m., usually on Friday or Saturday nights. **Winter Season**, November 1 through March 30, No Golf. Special Events/Parties may run to 2:00 a.m., usually on Friday or Saturday nights.
3. Renewable November 2020.

Seconded by Dean Snyder. **Motion carried to approve (4-0) (Ayes:** Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

6. RICHARD FERRETT – 5570 RIDGE ROAD

Application was received from Richard Ferrett, owner, for renewal of a Special Permit to allow the display and sale of 55 vehicles, as well as motorcycle sales and repair at 5570 Ridge Road West. This property is currently zoned Highway Commercial (HC) which allows this use with a Special Permit.

Art Fritz reported that he inspected the property on January 19, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file. Dennis Scibetta stated that Mr. Ferrett has yearly fire inspection done and the property is well taken care of.

A **motion** was made by Stephen Shelley to **approve** the application of Richard Ferrett, owner of 5570 Ridge Road West, for renewal of a Special Permit to operate sales and service business for motor vehicles out of a rear one-story building and to operate sales of motorcycles in the front building with service and storage of motorcycles on the lower floor of the same structure. This property is currently zoned highway commercial (HC) which allows this use with a special permit. Approval with the following original conditions:

1. No more than 30 cars to be displayed for sale.

2. No on-street parking. There must be adequate space for customer parking.
3. Exit and entrance driveways are to be provided.
4. All repairs to be performed within the existing structure, not outside.
5. Hours of operation: Monday through Sunday, 7 am to 8 pm.
6. Signs to conform to current zoning.
7. Lighting to be directed away from the road.
8. Renewable March 2020.

Seconded by Dean Snyder. **Motion carried to approve (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

7. AUTO OUTLETS USA PROPERTIES INC. – 5497 RIDGE ROAD

The application of Auto Outlets USA Properties Inc., owner, for renewal of a Special Permit to sell automobiles at 5497 Ridge Road West. The applicant is proposing to display 88 vehicles for sale. This property is currently zoned Highway Commercial (HC) and the proposed use is allowed with a Special Permit.

Dennis Scibetta said the Mr. Sobb sold the properties to Auto Outlets and will be merging the two properties. They will have to go back to the Planning Board with a new site plan for the entire property.

Art Fritz reported that he inspected the property on January 19, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file.

A **Motion** was made by Dan Melville to **approve** the application of Robert Sobb, owner, for renewal of a Special Permit to sell automobiles at 5497 Ridge Road West to display 88 vehicles for sale. This property is currently zoned Highway Commercial (HC) and the proposed use is allowed with a Special Permit. This is meant to be a satellite sales location only. Additional conditions will be:

1. The applicant is required at a minimum to provide a stone parking lot and not be parked on grass.
2. Not to exceed 88 cars.
3. Cars should be 50' back from the road right of way.
4. No exterior PA systems.
5. Renewable June 2019.

Seconded by Dean Snyder. **Motion carried to approve (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

8. GOOD NEWS COMMUNITY CHURCH – 4797 RIDGE ROAD

Application was received from Good News Community Church, owner, for renewal of a Special Permit at 4797 Ridge Road West to operate a church. Article 5.3.D.2 requires a Special Permit to operate a church in a Medium Density Residential (MD) district.

The Fire Marshal has conducted a Fire inspection but there was no response to phone calls left by the Zoning Enforcement Officer regarding the inspection for the Special Permit. There have been no complaints in the file. Dean Snyder felt that this should be either ruled on or turned down because it is a big deal that they are not responding. The Board would like Art Fritz to send the applicant a letter requesting an inspection be scheduled.

Following discussion, A **Motion** was made by Stephen Shelley to **table** the application of Good News Community Church, 4797 Ridge Road West, for renewal of a Special Permit to operate a church under the same conditions as the original permit to March to allow time for the Zoning Enforcement Officer to reach out to the applicant by letter and schedule the required inspection.

Seconded by Dan Melville. **Motion carried to table (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

9. FRANK SANTONASTASO – 5070 RIDGE ROAD

The application of Frank and Luigi Santonastaso, owners, for renewal of their Special Permit at 5070 Ridge Road West to allow the number of parking spaces for vehicles to be 315. This property is currently zoned Highway Commercial (HC) which allows the display and sale of motor vehicles with a Special Permit.

Art Fritz reported that he inspected the property on January 19, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file.

A **Motion** was made by Stephen Shelley to **approve** the application of Frank and Luigi Santonastaso, owners, for renewal of their Special Permit at 5070 Ridge Road West to maintain the number of parking spaces for vehicles at 315. This property is currently zoned Highway Commercial (HC) which allows the display and sale of motor vehicles with a Special Permit. This renewal will carry the same conditions as the original permit and will be renewable February 2020.

Seconded by Dan Melville. **Motion carried to approve (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

10. 5018 RIDGE ROAD, LLC – 5018 RIDGE ROAD WEST

The application of 5018 Ridge Road, LLC, for renewal of a Special Permit at 5018 Ridge Road West to display and sell motor vehicles, which is allowed with a Special Permit. This property is currently zoned Highway Commercial (HC).

Art Fritz reported that he inspected the property on January 25, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file.

A **Motion** was made by Stephen Shelley to **approve** the application of 5018 Ridge Road, LLC, for renewal of a Special Permit at 5018 Ridge Road West for the display and sales of motor vehicles which is allowed with a Special Permit. This property is currently zoned Highway Commercial (HC) with the following conditions:

1. That number of parking spaces for display, employee, and customers shall not exceed 74 spaces but is subject to Planning Board approval as to how those spaces should be delegated based on the requirements.
2. The hours of operation shall be 9am to 9pm, Monday through Thursday; 9am to 5:30pm, Friday; 9am to 5pm, Saturday; and Noon to 4 pm on Sunday.
3. No onsite repairs shall take place on this parcel.
4. No outside storage of car parts or any other related materials that could be perceived as a car repair business.
5. Lights shall be directed away from Route 104 and Route 259.
6. There shall be no outside speakers but the permit will allow a paging system for the express purpose of paging employees.
7. Renewable November 2019.

Seconded by Dan Melville. **Motion carried to approve (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

11. DANNIC HOLDINGS LLC – 5050 RIDGE ROAD

Application was received from 5050 Ridge Road LLC for renewal of a Special Permit to allow the applicant to store vehicles for display and sales at 5050 Ridge Road West.

12. 5050 RIDGE ROAD, LLC – 5052 RIDGE ROAD WEST

Application was received from 5050 Ridge Road, LLC for renewal of a Special Permit to allow the applicant to store vehicles for display and sales at 5052 Ridge Road West.

13. 5050 RIDGE ROAD, LLC – 5044 RIDGE ROAD WEST

Application was received from 5050 Ridge Road, LLC for renewal of a Special Permit to allow the applicant to store vehicles for display and sales at 5044 Ridge Road West.

Art Fritz reported that he inspected the property on January 25, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file.

A **Motion** was made by Dan Melville to approve the requests for renewal of Special Permits for 5050 Ridge Road, LLC at the properties of 5050 Ridge Road West, 5052 Ridge Road West and 5044 Ridge Road West for primarily storage of new and used vehicles as per the layout submitted to the Board on September 20, 2012. Renewable in November 2019.

Seconded by Stephen Shelley. **Motion carried to approve (4-0) (Ayes:** Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

14. GARY RITZEL – 1777 MANITOU ROAD

The application of Gary and Lori Ritzel, owners, for renewal of a Special Permit at 1777 Manitou Road to have 4 dogs on this property it in accordance with Town Zoning Article X, subsection 165-82.AA.3. A Special Permit is required to have more than three dogs on a property. This property is currently zoned Medium Density Residential (MD).

Art Fritz reported there has been no response from the applicant to schedule an inspection regarding the Special Permit. All four dogs are currently licensed. Dean Snyder would like a letter to go to them because it was pretty clear that this was for one year and the Board should get a status update on this.

A **Motion** was made by Dan Melville to **table** the application of Gary and Lori Ritzel, owners, for renewal of a Special Permit at 1777 Manitou Road to the March meeting allowing the applicant to have 4 dogs on this property; Puggles, Pickles, Sasha and Libby. A Special Permit is required to have more than three dogs on a property. All of these dogs are licensed by the Town and all of the dog's information is included on their licenses.

Seconded by Stephen Shelley. **Motion carried to table (4-0) (Ayes:** Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

15. SHANE PFEFFER- 420 MOUL ROAD

The application of Shane Pfeffer, owner, for renewal of a Special Permit at 420 Moul Road to operate a home business for the sale and transfer of firearms. This property is currently zoned Agricultural/Conservation (AC) which allows Home Business with a Special Permit in accordance with Town Zoning Article 9, subsection 165-79.1.

Art Fritz reported he and the applicant are playing phone tag and they have not been able to set up the required inspection. There is a gun safe in his garage. The Board decided that a letter should go to the applicant requesting an inspection be scheduled. Dean Snyder thought the Zoning Enforcement Officer could maybe suggest the applicant push out the renewals to more than one year.

A **Motion** was made by Dan Melville to **table** the application of Shane Pfeffer, owner, for renewal of a Special Permit at 420 Moul Road to operate a home business for the sale and transfer of firearms to the March meeting.

Seconded by Stephen Shelley. **Motion carried to table (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

16. CRAIG BRYCE – 645 MANITOU ROAD

The application of Craig Bryce, owner of 645 Manitou Road for renewal of a Special Permit, pursuant to Town Zoning Article 9, subsection 165-79.1 (Home Businesses), to allow the outside storage of eight pieces of construction equipment and the repair of the equipment in the existing garage. This property is currently zoned Rural Residential (RR).

Art Fritz reported that he inspected the property on January 25, 2018 regarding the conditions of the Special Permit and there were no violations of the Special Permit Conditions. There are no complaints in the file.

After discussion, a **Motion** was made by Dan Melville to **approve** the application of Craig Bryce, owner, for renewal of a Special Permit at 645 Manitou Road pursuant to Town Zoning Article 9, subsection 165-79.1 (Home Businesses), to allow the outside storage of eight pieces of construction equipment and the repair of the equipment in the existing garage with the same conditions as referenced in the lapsed Special Permit from June 18, 2015 with the exception that the renewal date will be January 1, 2018:

1. No more than 8 pieces of construction equipment.
2. No outside storage of junk, trash, or dismantled vehicles.
3. Hours of operation, Monday through Saturday, 7 am to 8 pm; Sunday, Noon to 5 pm.
4. No sales of any kind.
5. Renewable January 1, 2019.

Seconded by Stephen Shelley. **Motion carried to approve (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

17. DONALD AND NANCY TOWN – 2 LIGHTHOUSE BEACH

Application was received from Donald and Nancy Town, owners, for renewal of a Special Permit at 2 Lighthouse Beach Road to use their home as a tourist home (bed and breakfast) which is allowed with a Special Permit. This property is currently zoned Waterfront Residential (WF).

Dennis Scibetta stated that he has met with the owners. This property is no longer for sale and the daughter is maintaining it during the winter months. There is year-round access to the building. There was discussion about this operating since 2015 without a valid Special Permit. Dennis Scibetta stated yes that is true. The structure has been inspected yearly and he has seen what rooms have been improved. There is some discrepancy between what they were approved for and what is being advertised. Dean Snyder feels that the initial approval should be looked at. He would like them to come back and talk to the Board with a new application. The Board would also like to verify with the attorney the correct way to move forward with this.

A **Motion** was made by Stephen Shelley to **table** the renewal application of Donald and Nancy Town, owners, for a Special Permit at 2 Lighthouse Beach Road to the March meeting to allow the Building Department time to verify the correct way to move forward with this application.

Seconded by Dean Snyder. **Motion carried to table (4-0)** (Ayes: Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

MINUTES OF JANUARY 18, 2018

The ZBOA minutes of January 18, 2018 were reviewed. **Motion** was made by Stephen Shelley to **approve** the January 18, 2018 minutes as presented. Seconded by Dan Melville. **Motion carried to**

approve (3-0) (**Ayes:** Dan Melville, Stephen Shelley, Tim Thomas; **Abstain:** Dean Snyder; **Excused:** Veronica Robillard, Jim Zollweg).

OTHER BUSINESS

1060 Hilton Parma Corners Road - There was discussion about the sign on the property which is in direct violation of the use permit. The Building Department will send a letter regarding the sign.

There was discussion about Special Permit renewals for Accessory Apartments.

ADJOURNMENT

There being no further business, a **Motion** was made by Dan Melville, seconded by Stephen Shelley to adjourn the meeting at 8:42 p.m. **Motion carried to approve (4-0)** (**Ayes:** Dan Melville, Stephen Shelley, Dean Snyder, Tim Thomas; **Excused:** Veronica Robillard, Jim Zollweg).

Respectfully submitted,

Carrie Webster
Recording Secretary