

TOWN OF PENDLETON
ZONING BOARD OF APPEALS
December 17, 2019 Meeting

Members:

Wolfgang Buechler, Chairman
Lee Daigler
James Schlemmer
James G. Meholick, Secretary
Dennis Welka

The ZBA open regular meeting was called to order by Mr. Wolfgang Buechler at 7:00 PM. ZBA members Mr. Buechler, Mr. Daigler, Mr. Meholick & Mr. Welka were present at the meeting. No changes were made to the ZBA agenda submitted by Wolfgang Buechler.

PUBLIC HEARINGS:

Ronald Cappello (Gasper Fulfaro, Agent)
5532 Killian Road
Pendleton, New York

APPLICATION FOR VARIANCE of the provisions of the Zoning ordinance of the Town of Pendleton to operate a stone crushing operation in a zoning district where such activity is not a permitted use per Town Code §247-14. Stone crushing operation is also located 450 ft. from an occupied dwelling where no power activated sorting machinery or equipment may be located within 600 ft. of any occupied dwelling as per Town Code §247-43.B. Variances sought are a use variance allowing use of the property for stone crushing operation and an area variance of 150 ft. from the 600 ft. required setback. The property is 6.6 acres and is LI Light Industrial zoning.

Mr. Buechler indicated that the public hearing would continue to be tabled at the request of Mr. Gasper Fulfaro's Counsel, Elizabeth A. Holmes. She indicated that her client was taking steps that would hopefully eliminate the need for the area variance, but they were not yet in a position to pull the application.

REGULAR ZBA MEETING:

Review Minutes from Prior Meeting:

A motion was made by Dennis Welka to accept the minutes of the November 26, 2019 meeting, and was seconded by Lee Daigler. All voted in favor.

Specific Board Deliberation Actions: *None*

New Inquiries to ZBA: *None*

Correspondence: None

Special Topics: None

Miscellaneous ZBA Topics:

1. The next scheduled meeting will be on Tuesday, January 28, 2020, at 7:00PM.

A motion was made by Dennis Welka to adjourn the meeting at 7:18 PM, and seconded by Lee Daigler. All voted in favor.

Submitted for:

James G. Meholick
Secretary