

**MINUTES OF ZONING BOARD OF APPEALS PUBLIC HEARING
AND MEETING HELD SEPTEMBER 06, 2006**

Present: Donald Mordue, Chairman William Henry
 Anthony Muscolino Rick Beaton

Absent: Michael Haley

Others: Steven Seely, Helen Frederick, Deborah Frederick

Recording: Rita J. Gurewitch, Deputy Clerk/Treasurer

The public hearing was called to order at 7:30 PM by Chairman Mordue. He stated that Mr. Steven Seely of 3904 Old Mill Rd., Stanley NY has requested a use variance to operate a heavy truck motor vehicle repair shop at 28 Center Street (property owned by Carl Duerr). Said request is in violation of Village Code Article X, Section 100-52 K Special Uses.

No one present spoke against the appeal.

The public hearing was adjourned on motion.

The meeting was called to order at 7:45 PM by Chairman Mordue. After discussing the request, the following resolution was offered by Mr. Henry, seconded by Mr. Beaton and carried:

WHEREAS, Mr. Seely has applied for a use variance to allow him to operate a truck repair shop at 28 Center Street; and

WHEREAS, Mr. Seely requested a Special Use Permit from the Planning Board that was denied due to being within 200 feet of a residential district; and

WHEREAS, Mr. Seely does not appear to create a hardship for any area owners and no one opposed this use; and

WHEREAS, the members of this board are familiar with said location and the conditions and circumstances under which said variance is requested; and that the character of the area would remain unchanged; and

WHEREAS, a strict application of the village zoning law would result in a practical difficulty; and

NOW, THEREFORE, BE IT RESOLVED, that this application be **GRANTED** to allow Mr. Seely to operate a truck repair shop at 28 Center Street.

BE IT FURTHER RESOLVED, that the repair shop will not begin operations until necessary fees have been paid and permits have been obtained from the Code Enforcement Officer.

The above resolution was put to roll call vote, which resulted as follows;

Tony Muscolino	Voting	“AYE”
Rick Beaton	Voting	“AYE”
Donald Mordue	Voting	“AYE”
William Henry	Voting	“AYE”
Michael Haley	Absent	

The resolution was thereupon declared duly adopted.

The meeting was adjourned on motion at 8:30 PM

Respectfully submitted,

Rita J. Gurewitch
Deputy Clerk/Treasurer