

MINUTES OF VILLAGE OF MANCHESTER ZONING BOARD OF APPEALS  
PUBLIC HEARING AND MEETING - 7:00PM.

|          |                   |                   |
|----------|-------------------|-------------------|
| Present: | Tony Muscolino    | Chairman          |
|          | Bernard Commisso  |                   |
|          | John Yacuzzo      |                   |
|          | Michael Buttaccio |                   |
| Absent:  | Mike Haley        |                   |
| Others:  | Steven DeHond     | Sid Cutt          |
|          | Leslee Rice       | Andrea Fitzgerald |
|          | Richard Rice      | Jim Weed          |
|          | John Mullen       | Ed Ruthven        |
|          | Dustine Mott      | Glenn Thorton     |
|          | Steve Huber       | Marcus Ayers      |
|          | Matt Shannon      | Lindsey Ayers     |

Recording: Debra A Chase, Deputy Clerk

The Legal Notice was published in the Daily Messenger newspaper on 11-21-12.  
The Public Hearing notice was mailed out to 31 residences within 500 feet of applicant.

Chairman Muscolino called the public hearing to order at 7:00 pm. He stated that this hearing was called to ask the Zoning Board of Appeals to consider a request of Sidco Filter Corporation for an area variance at 58 North Avenue to build a 10,200 square foot addition for industrial use that does not meet village Zoning Schedule #1 of the VILLAGE OF MANCHESTER Zoning Ordinance that states a *Minimum side setback of 100 feet*.

Glen Thorton, Thorton Engineering, LLP, went over the plans for the residents. He discussed the flow plans for the business and stated the reason for the variance was to make the building symmetrical to provide the necessary floor area to eliminate bottlenecks and inefficiencies in product workflow through the manufacturing plant. The variance would allow the building to be built with a sideline setback of 39.43 feet. The current building's sideline setback is 55.14 feet. Mr. Thorton discussed the water retention pond that is required by the DEC. The pond would be only three feet deep and would not hold water for long periods of time. They would create a new swale to channel the water that passes under North Avenue from Newton Street and beyond. They would create a berm 3 feet high on the back of the property.

John Mullen, Dustine Mott, Steve Huber, Matt Shannon, Leslee & Richard Rice, Jim Weed, Marcus & Lindsey Ayers were present to voice their concerns regarding the retention pond and they were concerned about the safety of the small children in the area, they questioned the truck traffic, the noise, the lighting, the emissions and the property value of their homes possible going down. Dustine Mott questioned why they had not heard about this before this meeting. Chairman Muscolino told her that the Planning Board meetings are listed in the paper and that they were held every month. Dustin Mott wanted to know how much revenue Sidco would make after this addition and how much this would affect the tax base of the Village. Mr. Thorton and Mr. Muscolino told her that he did not have to disclose that information.

Ed Ruthven is in agreement with the proposed addition. He lives next door to the East of Sidco on North Avenue. He stated that Sidco was a good neighbor and he was glad to see the building renovated and that the business was doing well.

Chairman Muscolino told the residents that this meeting was only to issue a variance for the construction of a new building and that the questions they have would be for the Planning Board meeting which is on January 8<sup>th</sup>, 2013.

The public hearing was adjourned on motion.

Chairman Muscolino called the meeting to order at 8:21 pm. After discussing the request, the following resolution was offered by Bernard Commisso, seconded by Michael Buttaccio and carried:

**WHEREAS**, Sidco Filter Corporation has asked for an area variance at 58 North Avenue to build a 10,200 square foot addition for industrial use that does not meet village Zoning Schedule #1 of the VILLAGE OF MANCHESTER Zoning Ordinance that states a *Minimum side setback of 100 feet*.

**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 building is already pre-existing as the side line is at 55.14 feet; and the character of the area would remain unchanged; and

**WHEREAS**, the benefit cannot be achieved by some method which will not require a variance; and

**WHEREAS**, the variance requested is substantial; and

**WHEREAS**, the variance requested will not have an adverse impact on the physical or environmental conditions in the neighborhood or district; and

**NOW, THEREFORE, BE IT RESOLVED**, that this application be **GRANTED** to allow Sidco Filter Corporation to erect a 10,200 square foot addition for industrial use at 58 North Avenue.

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

|                   |         |       |
|-------------------|---------|-------|
| Tony Muscolino    | Voting  | “Aye” |
| Bernard Commisso  | Voting  | “Aye” |
| John Yacuzzo      | Abstain |       |
| Michael Buttaccio | Voting  | “Aye” |

The resolution was thereupon declared duly adopted.  
The meeting was adjourned on motion at 8:25 pm.

Respectfully submitted,

Debra A. Chase  
Deputy Clerk/Treasurer