

TOWN OF YORK
ZONING BOARD MINUTES
May 20, 2014

Present: Chairman Dick Ellis, Jerry Ayers, Paul Schneider, Jerry Sturm

Others: Carl Peter, Jerry Deming, Susan Smith, Molly Cummings

Mr. Ellis called the meeting to order at 7:10 p.m.

The board reviewed the county planning board letter regarding the Smith project and don't understand about the word hardship. Mr. Ayers said that a person who applies for a variance will suffer hardship if the variance is not granted. Mrs. Smith asked if the hardship would be presented in writing. Mr. Ellis said yes. Ms. Cummings asked if the barn fell down would that be a hardship? Mr. Peter wondered if it would be a hardship if the barn doesn't pay for its upkeep. Mr. Ellis asked if parking was in the original site plan. Mrs. Smith said yes but it would have to be reworked – area near old bunker could be turned into parking along with where the little lean-to barn is. Mr. Deming said that giving the variance would allow the Town Board to come up with a policy. Mr. Sturm asked if a 2 year window would be enough. Mr. Deming said yes. Mr. Ellis said that if ZBA approves variance, Sue would have to go back to Planning Board with site plan, ag statement, etc.

Mr. Ayers – variance to change a portion of agricultural to commercial. How big a piece would be changed to commercial, would need those dimensions. Mrs. Smith said probably 2 acres. Mr. Peter said it probably would not be tillable land. Mr. Sturm suggested Gromark could probably measure it.

7:30 pm Mr. Sturm moved to close the meeting with the applicant, Mr. Schneider seconded, all in favor, carried.

Further discussion:

- Mr. Peter doesn't think it would have to be split – commercial entity within the agricultural district
- Mr. Ayers – variance to change usage from agricultural to commercial
- Mr. Peter – but they would have to do it according to code and they would need a sprinkler system
- Mr. Deming said there would be no kitchen
- Mr. Sturm said they would have to use port-a-jons
- Mr. Peter said that another town is seeking a variance from state codes but he is waiting to see what happens with that
- Mr. Ellis said we should have a letter from the health department approving use of trailer bathrooms
- Mr. Peter thought they should have gotten an architect involved before now
- Mr. Ayers said they seem delinquent in every category for meeting code

- Mr. Deming said they need a variance to go forward so won't spend money to hire architect until after
- Mr. Sturm agreed with Mr. Schneider to give a 2 year variance and let them find out how much it costs
- Mr. Ellis said parking areas will need gravel to meet code
- Mr. Schneider said it'll cost a lot of money but that's not our concern
- Mr. Peter asked would you allow this type of business in this area – would it have a negative impact to this area
- Mr. Ayers said that the barn isn't going to change their farming methods at all

Mr. Schneider moved to grant a two-year variance but they have to meet all code stipulations, Mr. Sturm seconded, all in favor, carried.

8 pm – Mr. Schneider moved to adjourn, Mr. Ayers seconded, all in favor, carried.

Respectfully submitted,
Donna Falkner, Clerk