

TOWN OF PATTERSON  
ZONING BOARD OF APPEALS

*May 21, 2015*

**AGENDA & MINUTES**

	Page	
1) Peter Ruisi Case #09-14	1 – 2	Public hearing remained opened; Applicant was not present – Application <b>tabled</b> pending owners of Thunder Ridge filing a Use Variance application.
2) Colin Cuneo Case #09-15	2 – 9	Public hearing opened & closed; Resolution – Area Variance for SYSB to construct a new garage <b>granted</b> .
3) Other Business		
A) John Moriarty Case #09-15: Resolution Amendments	9 – 15	Zoning Board Amended all four resolutions to include negative SEQR declarations.
B) Minutes	15 – 16	Minutes from April 23, 2015 ZBA meeting <b>approved</b> .

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Lars Olenius, Chairman  
Mary Bodor, Vice Chair  
Marianne Burdick  
Michael Carinha  
Stephanie Fox

**PLANNING BOARD**

Thomas E. McNulty, Vice Chairman  
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**Zoning Board of Appeals  
May 21, 2015 Meeting Minutes  
Held at the Patterson Town Hall  
1142 Route 311  
Patterson, NY 12563**

Present were: Chairman Lars Olenius, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Michael Carinha, Board Member Stephanie Fox, and Nancy Tagliafierro – Attorney with Town Attorney’s Office.

Chairman Olenius called the meeting to order at 7:00 p.m.

There were approximately 2 members of the audience.

Mary Schartau was the secretary for this meeting and transcribed the following minutes.

Chairman Olenius led the salute to the flag.

The Secretary: Notice is hereby given – oh, I’m getting ahead of myself.

Roll Call:

Board Member Bodor	-	Here
Board Member Burdick	-	Here
Board Member Carinha	-	Here
Board Member Fox	-	Here
Chairman Olenius	-	Here

**1) Peter Ruisi (Liberty Paintball) Case #09-14**

No one was present to represent the application.

The Secretary read the following legal notice:

**NOTICE IS HEREBY GIVEN BY THE TOWN OF PATTERSON BOARD OF APPEALS** of a public hearing to be held on Thursday, May 21, 2015 at 7:00 p.m. at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider the following applications:

**Peter Ruisi (Liberty Paintball Games) Case #09-14 – Area Variance: Held over from the April 16, 2014, May 21, 2014, June 18, 2014, July 16, 2014, August 20, 2014, September 17, 2014, October 15, 2014, November 18, 2014, December 16, 2014, January 21, 2015, February 18, 2015, March 18, 2015, and April 23, 2015 meetings**

Chairman Olenius: And they are requesting to hold it over once again, until they get their... everything in order up there at Thunder Ridge... and we'll grant that.

**2) Colin Cuneo Case #09-15**

One person was present to represent the application.

The Secretary read the following legal notice:

**Colin Cuneo Case #09-15 – Area Variance**

Applicant is requesting an area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order to remove an existing 18' x 32' garage and construct a new 24' x 34' garage. Patterson Town Code requires accessory structures to meet a minimum side yard setback of 15 ft.; Applicant has 4 ft.; Variance requested is for 11 ft. This property is located at 74 South Street (R-1 Zoning District).

Chairman Olenius: Mr. Cuneo?

Mr. Cuneo: Hi.

Chairman Olenius: Come on up. We need to get your...

Mr. Cuneo: Oh...

Chairman Olenius: Everything in the mic...

Mr. Cuneo: A little bit of a hot seat.

Chairman Olenius: For the record.

[Laughter.]

Mr. Cuneo: How is everyone?

Chairman Olenius: Good. Could you just state your name and address...

Mr. Cuneo: Uh...

Chairman Olenius: For the record please?

Mr. Cuneo: Colin Cuneo. 74 South Street. Patterson.

Chairman Olenius: And do you swear the testimony you give tonight will be the truth and the whole truth?

Mr. Cuneo: I do.

Chairman Olenius: Thank you. So, explain to us a little bit about what you're looking to do.

Mr. Cuneo: Um... so, essentially, um, there's a 100-year-old garage, um, on our property, which... the... the doors are – it... the condition it's in can't really be refurbished, um, and we, uh... you know, the doors are kind of too small – it's a little bit too small for a modern vehicle, and, uh... what I want to do is, essentially, just knock it down and build a new garage that's slightly larger – again, the smallest I could possibly do for a modern size, um, car to fit in, um... I'm not going to make it any, um, higher – staying just one-story, um... and it will be tastefully designed and, uh, you know... make South Street even... even nicer-looking when you drive down.

Chairman Olenius: You're going to use the same footprint, basically, that the old garage...

Mr. Cuneo: It...

Chairman Olenius: Was on?

Mr. Cuneo: It's essentially the same footprint, um, as I mentioned... just, uh, a few feet larger, um...

Chairman Olenius: It appears from the plans you submitted that the old one is – I'm going to say L-shaped for lack of a better word... like it's just got, like, a little kick on it there...

Mr. Cuneo: Yeah, there's one, um...

Chairman Olenius: Is that – it – reflected in here, inside the... [referring to submitted plans] like, is this the existing...

Mr. Cuneo: That's...

Chairman Olenius: Reflected inside...

Mr. Cuneo: Yes.

Chairman Olenius: The...

Mr. Cuneo: That's correct.

Chairman Olenius: Okay. So, you're not infringing closer to the property line than the – this original is...

Mr. Cuneo: Correct.

Chairman Olenius: Staying in the same line that way.

Mr. Cuneo: Correct. It's not going any closer to the property line.

Board Member Fox: And the driveway has always been like that – that it goes around the back of the house?

Mr. Cuneo: Uh, since... since we've lived there, and, I think, um, the Kellys – the previous owners – I have a hunch that originally it came down the other side of the house...

Board Member Fox: Right.

Mr. Cuneo: Um... because it kind of is – I don't know, maybe they figured on the other side was kind of space that... could be used or landscaped, so, they – someone moved it at some point, but, I don't... know for sure.

Board Member Fox: Okay. But, that's how it is.

Mr. Cuneo: That's how it is, yeah.

Chairman Olenius: The residence – if I'm standing on South Street looking at your house – the residence to the left of you...

Mr. Cuneo: Uh, right, so, that's a, uh...

Chairman Olenius: That this – where this property line in question is located...

Mr. Cuneo: Right. I mean, that's, um... Tom McNulty, um, owns both sides – his house, and it's a – a property he rents out...

Chairman Olenius: Okay.

Mr. Cuneo: On the left side.

Board Member Bodor: That house on the left side is set well back behind yours, though...

Mr. Cuneo: Yes.

Board Member Bodor: Toward the back...

Mr. Cuneo: Correct.

Board Member Bodor: On the property.

Mr. Cuneo: It's all – it's probably... maybe 10 feet from the back of the property.

Chairman Olenius: Okay.

Board Member Bodor: Okay, and where you're pretty much toward the front of the property line...

Mr. Cuneo: Correct.

Board Member Bodor: Yeah.

Chairman Olenius: And you're going to – you said you're going to be one-story, so you're not going to be towering over...

Mr. Cuneo: Right. So, I mean, I've... been great neighbors with Tom, uh, for many years and wouldn't do anything to... put a... imposing structure, um... near to his, uh... the house he owns there.

Board Member Bodor: The current garage is only one-story?

Mr. Cuneo: Correct.

Board Member Carinha: Do you know how tall it is right now? The current garage?

Mr. Cuneo: Um... it's... I want to say – this is just a guess, um... as tall as this – the ceiling here [in the Meeting Room], uh...

Board Member Carinha: Is that including the pitch in the roof? Like from point [inaudible – too many speaking]...?

Mr. Cuneo: Correct. At the highest point. Maybe a little bit more... maybe a couple of feet more than that, so... 10 or 12 feet?

Board Member Carinha: Okay.

Mr. Cuneo: I'm not, uh, the greatest at uh...

Board Member Carinha: Okay.

Mr. Cuneo: Guessing at distances, but it's... it's not very tall.

Board Member Carinha: And the new one's only going to be 16 [feet], it looks like, from the top – the pitch of the roof to the, uh, the ground.

Board Member Fox: To the peak.

Board Member Bodor: That's a one-car garage.

Mr. Cuneo: Um, it currently has – it actually has three bays, um... again, very small, um... you know, they're just the doors that open, and you can see on the new door we're going to do, uh... a large door that could fit two-cars, and then...

Board Member Bodor: Okay.

Mr. Cuneo: The – another smaller door for lawn equipment and et cetera.

Board Member Bodor: So, it will accommodate two cars then?

Mr. Cuneo: It will accommodate two cars...

Board Member Bodor: Okay.

Mr. Cuneo: Yeah.

Chairman Olenius: So, you're incorporating, like, a shed into the structure...

Board Member Bodor: Yeah.

Chairman Olenius: At the same time...

Mr. Cuneo: Correct.

Chairman Olenius: For storage, or...

Mr. Cuneo: Correct... that's kind of like what's there, in it – inside there's a wall that separates where we keep our lawnmowers, and...

Chairman Olenius: It's nice-looking. I'll give you that.

Board Member Carinha: Are you going to have storage? Well, are you going to have finished a portion of the top and put some storage up there...?

Mr. Cuneo: Um... it needs, like, some rafters kind of things, which are there now, but, not... I wouldn't even call it a crawlspace or anything. It's definitely not going to be...

Board Member Carinha: Are you going to have like a pull-down-type attic with steps going up to it – or a pulldown ladder, I should say?

Mr. Cuneo: Um... we hadn't really thought about that, um... I don't even think it would be that – even that involved. It would just be... a ladder to stick some stuff up there.

Board Member Bodor: And the existing will be totally removed. You're not going to try and preserve any of it into the new structure?

Mr. Cuneo: Uh, correct.

Chairman Olenius: Does anyone in the audience have a comment on this case? I'm hearing none.

Board Member Burdick: Should I make a motion... to close the public hearing?

Chairman Olenius: If you would like.

Board Member Burdick: Okay. I make a motion to close the public hearing.

Chairman Olenius: Second. All in favor?

*Motion passed by a vote of 5 – 0.*

Chairman Olenius: Okay.

Chairman Olenius read the following resolution:

**IN THE MATTER OF THE APPLICATION OF**  
***Colin Cuneo, Case #09-15***  
***For an Area Variance to Construct a Garage 4' from the Side Property Line***

**WHEREAS, *Colin Cuneo*** is the owner of real property located at 74 South Street (R-1 Zoning District), also identified as **Tax Map Parcel #13.8-1-92**, and

**WHEREAS, *Colin Cuneo*** has made an application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order to replace an existing garage, and

**WHEREAS, §154-7** of the Patterson Town Code requires there to be a side yard setback of 15 feet in the R-1 Zoning District; Applicant's new garage will exist 4' from the side property line; ***Variance requested is for 11 feet***, and

**WHEREAS,** the proposed action constitutes a Type II action under 6 NYCRR Part 617, and therefore requires no further review under State Environmental Quality Review Act (SEQRA), and

**WHEREAS,** a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on ***May 21, 2015***, to consider the application; and

**WHEREAS,** The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

1. the proposed application ***will not*** produce an undesirable change in the character of the neighborhood, ***due to the fact that the new structure will be visually much more attractive than the dilapidated old structure.***
2. the benefit sought by the applicant ***cannot*** be achieved by any other feasible means, ***due to the fact that the new structure's replacing the 100-year-old structure in the same location.***

3. the variance requested *is* substantial, *however, not so much so as to cause a denial of the requested variance.*
4. the proposed variance *will not* have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, *because, as previously stated, it's going to be on the same footprint as the old garage, which will be removed.*
5. the alleged difficulty necessitating the variance *was not* self-created, and *is not* sufficient so as to cause a denial of the requested variance.

**NOW, THEREFORE BE IT RESOLVED**, that the Patterson Zoning Board of Appeals hereby *grants* the application of *Colin Cuneo* for *an area variance of 11 feet* pursuant to §154-7 of the Patterson Town Code; Schedule of Regulations, in order to construct a new garage 4' from the side property line.

Board Member Burdick: Second.

Board Member Bodor	-	Yes
Board Member Burdick	-	Yes
Board Member Carinha	-	Yes
Board Member Fox	-	Yes
Chairman Olenius	-	Yes

*Resolution carried by a vote of 5 to 0.*

Chairman Olenius: Good luck, sir.

Mr. Cuneo: Thank you. Appreciate your time.

Chairman Olenius: Go back to the, uh, Building Department. They should have the...

The Secretary: They'll have this tomorrow, so, you can get permits and... start construction.

Chairman Olenius: Get going while the weather's good.

[Laughter.]

Mr. Cuneo: Yeah. Thank you.

Chairman Olenius: You're very welcome.

Board Member Burdick: Good luck.

Chairman Olenius: Good luck...

### 3) Other Business

**A) John Moriarty Case #01-15: Resolution Amendments**

Chairman Olenius: Okay. So, what's on... okay. Mr. Moriarty. So, the resolutions I read last month, um... were inaccurate in the way the SEQRA portion was done. So, I make a motion to introduce the resolution for John Moriarty, Case #01-15 for an area variance for principal building area granting approval with the addition of the negative SEQR declaration.

Board Member Burdick: Second.

Chairman Olenius: Then, without objection, I will enter the resolution into the record as though read.

**IN THE MATTER OF THE APPLICATION OF  
*John Moriarty, Case #01-15*  
*For an Area Variance for Principal Building Area***

**WHEREAS, *John Moriarty* is the owner of real property located at 2233 Route 22 (C-1 Zoning District), also identified as **Tax Map Parcel #35.7-1-1, and****

**WHEREAS, *John Moriarty* has made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-115(A) of the Patterson Town Code; Public garages & automotive dealerships, in order to operate a public garage or automotive dealership, and**

**WHEREAS, §154-115(A) of the Patterson Town Code states that a special permit may be granted for a public garage or automotive dealership in the C-1 Zoning District located on Route 22 provided that the minimum first floor area for any principal building shall be 2,200 square feet; Applicant can provide 1,176 square feet; **Variance requested is for 1,024 square feet, and****

**WHEREAS, the proposed action constitutes an unlisted action under 6 NYCRR Part 617, and the *Patterson Zoning Board of Appeals* conducted an uncoordinated review under SEQR and granted a negative determination of significance on May 21, 2015, and**

**WHEREAS, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on *April 23, 2015, and a site walk was conducted on March 10, 2015*, to consider the application; and**

**WHEREAS, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:**

6. the proposed application ***will not*** produce an undesirable change in the character of the neighborhood ***due to the fact that it is a commercial area.***
7. the benefit sought by the applicant ***cannot*** be achieved by any other feasible means ***due to the fact that the home really can't be expanded in its current siting on the lot.***

8. the variance requested *is* substantial *however, not so much so as to cause a denial of the requested variance.*
9. the proposed variance *will not* have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district *because there is no expansion planned at this point in time from the current conditions.*
10. the alleged difficulty necessitating the variance *was not self-created, and is not sufficient* so as to cause a denial of the requested variance.

**NOW, THEREFORE BE IT RESOLVED**, that the Patterson Zoning Board of Appeals hereby *grants* the application of *John Moriarty* for *an area variance* pursuant to §154-115(A) of the Patterson Town Code; Public garages and automotive dealerships, of *1,024 square feet in order to operate a public garage or automotive dealership.*

Board Member Burdick: Second.

Board Member Bodor	-	Yes
Board Member Burdick	-	Yes
Board Member Carinha	-	Yes
Board Member Fox	-	Yes
Chairman Olenius	-	Yes

*Resolution carried by a vote of 5 to 0.*

Chairman Olenius: Again, I make a motion to introduce the resolution for John Moriarty, Case #01-15 for an area variance for public garage or automotive dealership location granting approval with the addition of the negative SEQR declaration.

Board Member Burdick: Second.

Chairman Olenius: Then, without objection, I will enter the resolution into the record as though read.

**IN THE MATTER OF THE APPLICATION OF**  
***John Moriarty, Case #01-15***  
***For an Area Variance for Public Garage or Automotive Dealership Location***

**WHEREAS, *John Moriarty*** is the owner of real property located at 2233 Route 22 (C-1 Zoning District), also identified as **Tax Map Parcel #35.7-1-1**, and

**WHEREAS, *John Moriarty*** has made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-115(B) of the Patterson Town Code; Public garages & automotive dealerships, in order to operate a public garage or automotive dealership, and

**WHEREAS, §154-115(B)** of the Patterson Town Code states that no public garage or automotive dealership shall be located within 1,000 feet of any other public garage, automotive dealership or gas station as measured between the closest property corners; Applicant's lot is

adjacent to a public garage or automotive dealership; *Variance requested is for 1,000 feet*, and

**WHEREAS**, the proposed action constitutes an unlisted action under 6 NYCRR Part 617, and the *Patterson Zoning Board of Appeals* conducted an uncoordinated review under SEQR and granted a negative determination of significance on May 21, 2015, and

**WHEREAS**, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on *April 23, 2015, and a site walk was conducted on March 10, 2015*, to consider the application; and

**WHEREAS**, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

11. the proposed application *will not* produce an undesirable change in the character of the neighborhood *due to the fact that it is a commercial area*.
12. the benefit sought by the applicant *cannot* be achieved by any other feasible means *due to the fact that the property in question next to him is also another commercial piece of property, which, however, typically services motorcycles only*.
13. the variance requested *is* substantial *however, not so much so as to cause a denial of the requested variance*.
14. the proposed variance *will not* have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district *due to the fact that the applicant has been in operation in excess of 30 years*.
15. the alleged difficulty necessitating the variance *was not self-created, and is not sufficient* so as to cause a denial of the requested variance.

**NOW, THEREFORE BE IT RESOLVED**, that the Patterson Zoning Board of Appeals hereby *grants* the application of *John Moriarty* for *an area variance* pursuant to §154-115(B) of the Patterson Town Code; Public garages and automotive dealerships, of *1,000 feet in order to operate a public garage or automotive dealership*.

Board Member Burdick: Second

Board Member Bodor	-	Yes
Board Member Burdick	-	Yes
Board Member Carinha	-	Yes
Board Member Fox	-	Yes
Chairman Olenius	-	Yes

*Resolution carried by a vote of 5 to 0.*

Chairman Olenius: And, again, I make a motion to introduce the resolution for John Moriarty, Case #01-15 for an area variance for lot size granting approval with the addition of the negative SEQR declaration.

Board Member Burdick: Second.

Chairman Olenius: Then, without objection, I will enter the resolution into the record as though read.

**IN THE MATTER OF THE APPLICATION OF**

***John Moriarty, Case #01-15***

***For an Area Variance for Lot Size***

**WHEREAS, *John Moriarty*** is the owner of real property located at 2233 Route 22 (C-1 Zoning District), also identified as **Tax Map Parcel #35.7-1-1, and**

**WHEREAS, *John Moriarty*** has made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-115 of the Patterson Town Code; Public garages & automotive dealerships, in order to operate an automotive dealership, and

**WHEREAS,** §154-115 of the Patterson Town Code states that a special permit may be granted for a public garage or automotive dealership in the C-1 Zoning District located on Route 22 on a lot of not less than 2 acres; Applicant's lot is 1.08 acres; ***Variance requested is for 0.92 acres,*** and

**WHEREAS,** the proposed action constitutes an unlisted action under 6 NYCRR Part 617, and the ***Patterson Zoning Board of Appeals*** conducted an uncoordinated review under SEQR and granted a negative determination of significance on May 21, 2015, and

**WHEREAS,** a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on ***April 23, 2015, and a site walk was conducted on March 10, 2015*** to consider the application; and

**WHEREAS,** The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

16. the proposed application ***will not*** produce an undesirable change in the character of the neighborhood ***due to the fact that it's in the commercial zone.***
17. the benefit sought by the applicant ***cannot*** be achieved by any other feasible means ***due to the fact that the property is landlocked and there's no direct way to increase the property's size.***
18. the variance requested ***is*** substantial ***however, not so much so as to cause a denial of the requested variance.***
19. the proposed variance ***will not*** have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district ***because in its current state it can be utilized as it is at this point***
20. the alleged difficulty necessitating the variance ***was not self-created,*** and ***is not sufficient*** so as to cause a denial of the requested variance.

**NOW, THEREFORE BE IT RESOLVED**, that the Patterson Zoning Board of Appeals hereby *grants* the application of **John Moriarty** for an area variance pursuant to §154-115 of the Patterson Town Code; Public garages and automotive dealerships, *of 0.92 acres in order to operate an automotive dealership.*

Board Member Burdick: Second.

Board Member Bodor	-	Yes
Board Member Burdick	-	Yes
Board Member Carinha	-	Yes
Board Member Fox	-	Yes
Chairman Olenius	-	Yes

*Resolution carried by a vote of 5 to 0.*

Chairman Olenius: And lastly, I make a motion to introduce the resolution for John Moriarty, Case #01-15 for a special use permit for an automotive garage granting approval with the addition of the negative SEQR declaration.

Board Member Burdick: Second.

Chairman Olenius: Then, without objection, I will enter the resolution into the record as though read.

**IN THE MATTER OF THE APPLICATION OF**  
***John Moriarty, Case #01-15***  
***For a Special Use Permit for an Automotive Garage***

**WHEREAS, *John Moriarty*** is the owner of real property located at 2233 Route 22 (C-1 Zoning District), also identified as ***Tax Map Parcel #35.7-1-1***, and

**WHEREAS, *John Moriarty*** has made an application to the Patterson Zoning Board of Appeals for a Special Use Permit as set forth in §154-115 of the Patterson Town Code; Public garages and automotive dealerships, and

**WHEREAS, §154-115** states that a special permit may be granted by the Zoning Board of Appeals in the Industrial (I) District or the Commercial (C-1) District located on Route 22 only, for a public garage or automotive dealership, subject to the standards and conditions of §154-115, and

**WHEREAS,** the proposed action constitutes an unlisted action under 6 NYCRR Part 617, and the ***Patterson Zoning Board of Appeals*** conducted an uncoordinated review under SEQR and granted a negative determination of significance on May 21, 2015, and

**WHEREAS,** a public hearing was held at the Patterson Town Hall, 1142 Route 311, Patterson, New York on ***April 23, 2015, and a site walk was conducted on March 10, 2015,*** to consider the application; and

**WHEREAS,** the Zoning Board of Appeals finds that the Application as presented ***meets*** the standards and guidelines of §154-93 in so far as;

- (1) The use *is* of a size and character that, in general, it will be in harmony with and conform to the appropriate and orderly general development of the town and, in particular, the district in which it is located.
- (2) The use *will not* increase congestion in the streets; create unsafe conditions; cause an overcrowding of land;
- (3) The proposed use *is* suitable for the character of, and will conserve the values of buildings and property of, the district in which it is located.
- (4) The location, nature, and size of any building, structure, wall or fence and the nature and extent of any landscaping *will not* adversely affect the use of property in the general neighborhood.
- (5) There *does* exist sufficient capacity within the area for the proposed use.

**WHEREAS**, The Patterson Zoning Board of Appeals finds that the Applicant has met the requirements for the issuance of a Special Use Permit in accordance with §154-115 of the Patterson Zoning Code, subject to any conditions contained herein, and

**WHEREAS**, the Patterson Zoning Board of Appeals has granted an area variance from §154-115 of the Patterson Town Code to permit a lesser lot size of 0.92 acres from the 2 acres required, and

**WHEREAS**, the Patterson Zoning Board of Appeals has granted an area variance from §154-115 (A) of the Patterson Town Code to permit a lesser principal structure first floor area of 1,176 square feet from the 2,200 square feet required, and

**WHEREAS**, the Patterson Zoning Board of Appeals has granted an area variance from §154-115 (B) of the Patterson Town Code to permit a lesser separation distance of 0' from the 1000' required.

**NOW, THEREFORE BE IT RESOLVED**, the Patterson Zoning Board of Appeals wishes to *grant* the request of *John Moriarty* for a Special Use Permit *to allow for the operation of an automotive dealership in the C-1 Zoning District as set forth in §154-115* of the Patterson Town Code; Public garages and automotive dealerships, and

**BE IT FURTHER RESOLVED**, that the special use permit granted herein is subject to the following special conditions:

1. The shed currently in existence on the property must be removed by July 31, 2015.

Board Member Burdick: Second.

Board Member Bodor	-	Yes
Board Member Burdick	-	Yes
Board Member Carinha	-	Yes
Board Member Fox	-	Yes
Chairman Olenius	-	Yes

*Resolution carried by a vote of 5 to 0.*

**B) Minutes: April 23, 2015**

Chairman Olenius: The... I'll make a motion to approve the April 23<sup>rd</sup> minutes.

Board Member Fox: Second.

Board Member Bodor: I'll second.

Chairman Olenius: All in favor?

*Motion passed by a vote of 5 – 0.*

Chairman Olenius: And we're, uh... I make a motion to – do you have anything for us, counselor?

Nancy Tagliafierro: Not tonight.

Chairman Olenius: Not tonight?

Nancy Tagliafierro: No, not this evening.

Chairman Olenius: Okay.

Nancy Tagliafierro: Unless you want me to talk about – I can read my brief to you that I wrote. It's only 20 pages long...

Chairman Olenius: See...

Nancy Tagliafierro: On the Tavano case.

Chairman Olenius: We – we trust you.

[Laughter.]

Board Member Carinha: Will it be brief?

Nancy Tagliafierro: No.

[Laughter.]

Chairman Olenius: I'll make a motion to close the public hearing, then.

Board Member Fox: Second.

Chairman Olenius: All in favor?

*Motion passed by a vote of 5 – 0.*