

Zoning Board Public Hearing  
4/7/19

Members Present: Jerry Sturm, Harold Wolcott, Dustin Geiger, Mark Connolly, chair

Others: Donna Falkner, Zack Koblanski, Michael Van Gelder, Kirk Richenberg, John Morgan, Carl Peter, Philip Iler

Chairman Connolly opened the public hearing at 7:30 p.m.

Mr. Van Gelder is requesting a use variance for his property that is hamlet residential but would like to put up storage units on it.

Mr. Connolly asked for comments from the floor:

- Mr. Connolly stated that the referral form needs to be corrected because there are two circled items on it but he is requesting a use variance to the zoning law
- Mr. Peter said that hamlet commercial does not allow self storage units. A use variance is hard to get.
- Mr. Van Gelder said he took it out of planned development to build his shop
- Mr. Richenberg asked about the access road which Mr. Van Gelder explained.
- Mr. Morgan said that every person who comes to ZBA has a self-created hardship. He's for Mr. Van Gelder yet he was turned down for his property and will not do anything with his corner except let it go to scrub grass
- Mr. Peter said that when they did the zoning not all property owners were notified of the changes. Doesn't know what zoning was before that.
- Mr. Van Gelder said it was planned development in 2007 and they had talked about senior housing there originally
- Mr. Richenberg said somewhere in the transition it got changed to residential.
- Mr. Peter said if it was 2009 it would not be a self created hardship
- Mr. Wolcott said self storage would still not be allowed
- Mr. Peter said was it done 2006-2007 or 2009, that is the question. How was it changed originally?
- Mr. Peter said Mr. Van Gelder bought the property as planned development and would have to look through the minutes and laws to research it or through the assessors office
- Mr. Morgan said it should be allowed or the town won't have taxes on anything
- Mr. Van Gelder & Mr. Wolcott agree with Mr. Morgan
- Mr. Van Gelder said we should want expansion and a tax basis
- Mr. Morgan said the zoning in York is pretty screwed up
- Mr. Connolly kind of agrees
- Mr. Wolcott said area variances a lot easier than use variances
- Mr. Koblanski said there was a need for storage units in York
- Mr. Morgan said should be discretion and common sense involved
- Mr. Van Gelder said he had a 4 year plan to build one unit a year

Mr. Geiger moved to close the Public Hearing, Mr. Connolly seconded, carried  
Yes – 4            No – 0

Mr. Connolly called the meeting to order at 8:08 pm

Mr. Geiger moved to approve the March minutes, Mr. Wolcott seconded, carried  
Yes – 4            No – 0

Mr. Connolly & Mr. Geiger said we need to research the dates to navigate through the question of the use variance.

Mr. Geiger stated that we should look at both Van Gelder's and Morgan's variance requests.

Mr. Peter said Mr. Morgan's lot was ag residential.

Mr. Geiger moved to table the decision until research was done into Morgan's and Van Gelder's variances, Mr. Wolcott seconded, carried.  
Yes – 4            No – 0

Mr. Peter said Cal Diesel was changed to commercial.

The continuation of the variance request meeting will be May 7 at 7 pm at the Town Hall

Motion by Mr. Geiger to adjourn the meeting at 8:25 pm, seconded by Mr. Connolly, carried.  
Yes – 4            No - 0

Respectfully submitted,  
Donna K. Falkner