

Village of South Blooming Grove
Zoning Board of Appeals
April 22, 2010
7:04 P.M.

➤ **Call to order**

- Chairwoman Sarah Ramos called to order the Zoning Board of Appeals Meeting at 7:04 pm on April 22, 2010 at the South Blooming Grove Village Hall located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

- The following persons were present:
- Sarah Ramos-Chairwoman
- Sonia Ayala-Member
- Peter Piampiano-Member
- Kerry Ann Dougherty-Alternate Member
- Joe McKay – Village Attorney

➤ **Public General Comments**

- None

➤ **Adoption of Minutes**

- Motion was made to adopt the March 30, 2010 minutes by Kerry Ann Dougherty, seconded by Peter Piampiano. 4 ayes.

➤ **New business**

- Chairwoman Ramos stated that she had a discussion with the Village Attorney and Mayor Jeroloman regarding the changes made to the application. She was informed that the Zoning Board is not authorized to make changes without going to the Village Board for approval. The application that was approved in the last meeting is now void.
- Joe McKay addressed Mr. Baroutjian and explained to him that he has reviewed the application. He also explained to Mr. Baroutjian that the Zoning Board has to go into executive session for counsel and that this session is not open to the public. Mr. Baroutjian asked Mr. McKay if he can come to him for counsel on questions he has regarding the application process. Mr. McKay explained to him that if he has any concerns regarding the application he can have his engineer speak to the Village Engineer, Jim Farr.
- Motion to go into executive session by Sarah Ramos, seconded by Sonia Ayala at 7:10pm. 4 Ayes

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- Motion to close executive session by Sonia Ayala, seconded by Kerry Ann Dougherty at 7:53pm. 4 Ayes
- Motion to open meeting by Sarah Ramos, seconded by Kerry Ann Dougherty at 7:53pm. 4 Ayes
- Chairwoman Ramos disclosed to Mr. Baroutjian that both she and Board Member Piampiano may have a conflict of interest because they live within the 500 feet radius of his parcel. She explained to him that she can be impartial, as did Mr. Piampiano. Based on this potential conflict of interest, Mr. McKay asked if Mr. Baroutjian had any objection to them hearing his application. Mr. Baroutjian expressed that he has no problem with this issue, he understands, and would like to proceed.
- Chairwoman Ramos explained to Mr. Baroutjian that they have questions regarding his application that need to be completed.
 - Page three of fourteen on his application regarding project description is incomplete. For the record insert “neighborhood” as the last word on the sentence after “character of the”.
 - Page six of fourteen regarding the affidavit, on question number two the section number has to be filled in where it says “Variance or modification from the requirement of Section” for the record “235-14.1 (b)(1)(c)”.
 - Page thirteen of fourteen of the application where it says “Variance from the requirement of Section” is the variance the same? For the record, “235-14.1 (b)(1)(c)” is the same.
- Mr. Baroutjian was asked to explain in his own words what he is looking to accomplish. He explained he wants to build a two-story house with garage between his home and the next door neighbor, which would be about 2000-3000 sq. feet in size.
- Chairwoman Ramos wanted to remind Mr. Baroutjian of why he is before the Zoning Board. She referred to the resolution by the Planning Board that stated his application failed to meet the mandates of the Village Law that states that the proposed subdivision consist of no less than 2 acres each.
 - Page six of fourteen of the application, question number three, “Premises affected area in a” need to insert what zone is being looked at. For the record it is “Rural Residential” zone.

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- Page six of fourteen of the application, question number two, where it says “To the” insert “Zoning Board of Appeals” of the Town/Village of “Village South Blooming Grove”.
- Page ten of fourteen of the application, for the affidavit insert “500 feet” for the distance.
- Mr. Baroutjian asked what he would be mailing to the residents within the 500 feet. It was explained to him that Mr. McKay will create a public hearing notice and will forward this to the Village Clerk and he can then pick it up.
- Motion to accept the application as completed by Kerry Ann Dougherty, seconded by Sonia Ayala. 4 Ayes.
- Motion to designate the ZBA as the lead agency with respect to the application and determination of SEQRA by Sonia Ayala, seconded by Kerry Ann Dougherty. 4 Ayes
- Motion to go into executive session by Sarah Ramos, seconded by Kerry Ann Dougherty at 8:26pm. 4 Ayes
- Motion to close executive session by Kerry Ann Dougherty, seconded by Sonia Ayala at 9:15pm. 4 Ayes
- Motion to open meeting by Kerry Ann Dougherty, seconded by Sonia Ayala at 9:15pm. 4 Ayes
- Motion to amend the Lead Agency Resolution, to authorize the Village Clerk to mail a 239M form to the County Planning Board if it is determined by Counsel to be necessary by Peter Pampiano, seconded by Kerry Ann Dougherty. 4 Ayes

➤ **Adjournment**

- Motion to close meeting by Sonia Ayala, seconded by Kerry Ann Dougherty at 9:17pm. 4 Ayes
 - Minutes Respectfully submitted by: Carmen Kress – Deputy Clerk