

**TOWN OF SCHUYLER FALLS
ZONING BOARD OF APPEALS
REGULAR MEETING 03-18-2024**

The regular meeting of the Zoning Board of Appeals was called to order at 6:30 p.m. by Chairman Frank Dorrance.

Roll Call	Present	Absent
Frank Dorrance (Chairman)	X	
Rick Hazen (Vice-Chairman)	X	
Michael Emde		X (arrived 6:35pm)
Dan Garner	X	
Ryan Smith	X	

Others Present: Sheridan Bryan Yanulavich, Howard Newton

Mr. Dorrance moved on to the second item on the agenda. Approval of the December 2023 meeting minutes. Mr. Dorrance made a motion to approve the December 2023 minutes as written. The motion was seconded by Mr. Hazen.

Roll Call	Aye	Nay	Abstain	Absent
Frank Dorrance (Chairman)	X			
Rick Hazen (Vice-Chairman)	X			
Michael Emde				X
Dan Garner			X	
Ryan Smith	X			

Motion Passed

Mr. Dorrance moved onto the next item on the agenda, Appeal 24-001, He explained that before the board got into this matter due to an interpretation of the rules, the sign that has been posted previously, for many years had not been properly posted. Our attorney is out of town, but we did consult with his office and it was deemed that we had not given appropriate public notice, so it is not something Mr. Dorrance is willing to take up at this meeting, because we could be challenged on not giving appropriate public notice and he would like to review it with our lawyer. Mr. Yanulavich questioned if it was in the paper. Mr. Dorrance explained that it does not count enough. Mr. Dorrance expressed that he did not want to waste the applicant's time going through a lot of things. He also expressed that he hoped we will have a full board and he hoped we would have a full board next month. Mr. Dorrance expressed that since we posted the meeting in the paper, he wanted to hold the meeting in case some other public individual showed up. Mr. Dorrance expressed that we did not give enough notice for him to feel comfortable taking up the issue and acting on it, as there may be ramifications in other areas. Mr. Dorrance expressed that the applicant does not have to reapply, but he will be put on the agenda for the next meeting. Mr. Dorrance questioned if this application had been sent to the

county, Mr. Newton expressed that it had not been sent and it is not his responsibility. He expressed that the actions that the previous codes officer used to complete, seems to have changed in this fiscal year so the board needs to figure out where responsibility lies. Mr. Yanulavich questioned if the use was there before zoning does it get grandfathered in. Mr. Dorrance expressed that is not the case if you have not used it in a year. Mr. Yanulavich expressed that the business was used but in the eyes of the DMV it was not recognized. Mr. Dorrance expressed that the applicant could look at his application and not talk about it as a reopening, he expressed that the property must be used once a year for the use previously approved, to maintain it. Mr. Dorrance explained that the applicant could put a new application in that was amended. Mr. Dorrance made a motion to table Appeal #24-001 until our next meeting. The motion was seconded by Mr. Hazen.

Roll Call	Aye	Nay	Abstain	Absent
Frank Dorrance (Chairman)	X			
Rick Hazen (Vice-Chairman)	X			
Michael Emde	X			
Dan Garner	X			X
Ryan Smith	X			

Motion Passed.

Old Business: Mr. Dorrance expressed that the map that was requested on the wall has been put up.

New Business: Maps for applications can be received electronically for applications at no charge. Discussion took place and the board has requested paper copies. Kelsi will investigate this further to get more information. Mr. Hazen asked what happened with the sign and appropriate notice. Mr. Dorrance explained that Mr. Newton deemed the signs not appropriate, but that was not communicated so an alternative was not investigated. We will need to investigate and rectify this situation by working with the town so that matters are handled appropriately.

Mr. Dorrance requested a motion to adjourn. Mr. Emde made a motion to adjourn. The motion was unanimously approved.

Roll Call	Aye	Nay	Abstain	Absent
Frank Dorrance (Chairman)	X			
Rick Hazen (Vice-Chairman)	X			
Michael Emde	X			
Dan Garner	X			
Ryan Smith	X			

Motion Passed. Respectfully Submitted,
Kelsi Russell

DRAFT