

Town of Southeast  
Zoning Board of Appeals  
Minutes of September 21, 2009

Edward Colello, Chairman	Present
Thomas Costello, Vice Chairman	Present
Timothy Froessel	Present
Joseph Castellano	Present
Kevin Sheil	Absent
Paul Vink	Present
Roderick Cassidy	Present
Mary Rhuda, Admin Assistant	Present

Regular Meeting:

John Petrillo, 573 North Main Street – The applicant was not in attendance at the meeting this evening. This item will be on next month's agenda. Mr. Petrillo will be asked to re-notice the public hearing.

George & Denise Trembley, 3590, 3608, 3920 Danbury Road – Attorney Anthony Mole and George Trembley were reminded they are still under oath from previous meetings. This application is once again in front of this Board for an interpretation on Lot 5. Lots 6 & 7 had previous zoning violations that are being taken care of in Town court. Equipment has been moved, dirt piles moved, and the fence has been taken off of NY State property.

The applicant believes that Lot 5 has always been used for parking. They believe it has a pre-existing, non-conforming use for extra parking. A copy of the April 1968 Southeast Zoning Code was presented. There has been testimony that between 1968 and 1975 parking was allowed. They Board will review this old Code and also speak with the Town Attorney for his opinion.

John LaGuardia spoke on behalf of the Trembley's. He moved to Southeast in 1962 and said the site has always been used for parking. He also spoke to Mr. Trembley's character. He is a good citizen of Southeast and even helps out the highway department during long, severe storms. John & Robert Trembley, sons of the applicant, both spoke stating that when they were young children, they would clean up the "parking lot". The family has always worked hard to keep their properties clean.

Pictures of the vehicles on the lot as of this evening were presented to the Board. It is estimated that 12 trucks could be parked on site. When the

business picks up, this number will drop. Unfortunately, because of the economy, their business trucks are not all in use. Mr. Trembley plans to construct a business on property when feasible. Public hearing remains open.

Kim & Frank Milano, 130 Foggingtown Road – Mr. Michael Berta, Architect, is representing the applicants and was sworn in. Mailings are in order. This application is to allow 2 accessory apartments on one lot. The main home will be demolished, and a new home will be built. During construction, the family will live in the existing accessory apartment that is above the existing garage. The plans for the new home has an accessory apartment as well. The apartment will be attached to the new home and will be considered a Mother-in-law suite.

The existing apartment is approximately 982 sq. ft. The new apartment will be approximately 800 sq. ft. A variance was granted in

Motion introduced by T. Froessel to accept the minutes of August, 2009.

Seconded by R. Cassidy

Approved by a vote of 6-0.