

ZONING BOARD

SPECIAL MEETING

JULY 27, 2009

The Village of Liberty Zoning Board of Appeals held a Special Meeting on Monday, July 27, 2009 at the Village Municipal Building, 167 North Main Street. The meeting was opened at 6:15 P.M.

PRESENT: Dr. Robert Nussbaum, Gene Barbanti, George Stang and Dominic Fontana. Also Present: Langdon Chapman, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ABSENT: Charles Tyler

ALSO Jeff Roberts

PRESENT:

APPLICATION #1-2009 - JOE GROSSMAN - TAX MAP #113-3-15

Chairman Barbanti read the following Notice of Publication:

NOTICE IS HEREBY GIVEN that a Special Meeting will be held by the Village of Liberty Zoning Board of Appeals on Monday, July 27, 2009 at the Village Municipal Building, 167 North Main Street, Liberty, New York at 6:15 p.m. on the following matter:

Application 1-09 of: Joe Grossman
95 Mill Street
Liberty, NY 12754
Tax map #113-3-15

The applicant is requesting the following variance:

An area variance to reduce the side yard requirement along the westerly property line to be moved to the west building of the current garage building.

JOE GROSSMAN PROPERTIES, LLC- TAX MAP #113-3-15

CONSIDER VOTE ON VARIANCE REQUEST

Motion by Robert Nussbaum, seconded by George Stang and unanimously carried approving the following resolution:

WHEREAS, the Zoning Board of Appeals (ZBA) of the Village of Liberty is empowered to grant area and use variances from the Village Zoning Code; and

WHEREAS, those variances included relief from the setback provisions of the Village of Liberty Village Code;

WHEREAS, Joe Grossman Properties, LLC is the owner of a certain parcel of land depicted on the annexed map and;

WHEREAS, Joe Grossman Properties, LLC desires to sell and Ideal Snacks, Inc. desires to purchase a certain strip of land identified as .06 acres on the annexed map; and

WHEREAS, doing so would leave the remainder of the property now owned by Joe Grossman Properties, LLC in a state of noncompliance with the set back requirements of the Zoning Code of the Village of Liberty;

WHEREAS, the ZBA has duly considered the factors required by law and finds the application meets all the requisite factors as a matter of law; and

NOW, on Motion by Robert Nassau, seconded by George Sting, the ZBA does hereby grant a variance to reduce the side setback requirements from the building presently located on the lot of Joe Grossman Properties, LLC as shown on the annexed map having a Tax ID number of 113-3-15 to zero feet.

THIS VARIANCE IS CONDITIONED UPON THE PROPERTY SHOWN ON THE ANNEXED MAP (.06 ACRES) BEING ADDED TO PROPERTY OF IDEAL SNACKS ADJOINING THE PREVIOUSLY DESCRIBED PROPERTY OF JOE GROSSMAN PROPERTIES, LLC NOT LATER THAN JULY 27, 2010.

ALL IN FAVOR

ADJOURN: Motion by Dominic Fontana, seconded by Robert Nussbaum and unanimously carried to adjourn the meeting.

THE MEETING WAS ADJOURNED AT 6:25 P.M.

RESPECTFULLY SUBMITTED,

**JUDY ZURAWSKI
CLERK/TREASURER**