

Zoning Board Minutes
Village of Liberty
Thursday, January 23, 2025, 6:30 p.m.

Zoning Board Members Present: Domenic Fontana, Matt Stoddard and Robert Nussbaum.

Also Present: Gary Silver, Village of Liberty Attorney, Marisol Torrens, Code Enforcement Officer, Denise Corbett, secretary and Isaac Indig.

NEW BUSINESS:

1. LE DEVELOPERS LLC – SBL# 115-1-9 – Requests an area variance to reduce the required number of parking spaces to 16 spaces for the use of the building as a retail showroom. Zone: C. Location: 100 Mill St.

Isaac Indig, representing the owner of the property. I have the plan here if you wish to see it. Everything is existing. I appeared in front of the planning board and the planning board directed me to the ZBA for an area variance. The planning board said they have an issue with the amount of parking spaces. According to today's zoning, there are not enough parking spaces. The building is going to be used as an appliance showroom. You make an appointment and come to the showroom. He will not have a lot of employees. The parking area that we have is enough for what we plan to use it for.

Gary Silver, are you going to have a couple of offices upstairs. You are going to have 3 employees upstairs, correct?

Isaac Indig, there will only be 2 employees.

Domenic Fontana, are these commercial appliances or residential?

Isaac Indig, residential

Domenic Fontana, it was used similarly in the past. It was a plumbing supply store.

Gary Silver, if there are industry standards, the law says that you must follow it. If there is not, you are supposed to follow the code unless you get a variance. Commercial use is a certain amount of square foot and offices are a certain amount of square foot. Of course, it is so generic that it doesn't apply to this type of business. The law states that he would need 44 spots. He wishes he could get that many customers in there. So what he is asking for is 16 spots. If it wasn't appointment only, I would be concerned. I think that one of the conditions could be, if you approve this, that we are approving this based on

the representation that it is by appointment only. The parking lot shouldn't fill up if it is by appointment only.

Denise Corbett, Isaac, I think you should mention that there will be no shipping from this location and that the appliances will be coming from New Jersey.

Isaac Indig, right. This is just a showroom, not the warehouse.

Domenic Fontana, it is on the right past the traffic circle. Before that it was a plumbing supply warehouse.

Marisol Torrens, the code states that he would need 1 parking space for every 250 square feet.

Gary Silver, for a commercial space it is one space for every 250 square feet and for offices it is one space for every 300 square feet. When we did the math, it is just way more than he would ever use. That is the problem when you have a generic code. That is why there is a ZBA. If he has 2 or 3 employees and it is by appointment only, he will quite frankly have more than enough spaces.

Denise Corbett, I did a little research on the square footage of the building. It is two stories. One story is 1,840 and the other floor is 5,400 square feet. Isaac and I spoke and he said there is an open area on the top floor, kind of like a loft. It is open space and not usable space. So you can take the 7,240 square feet and subtract 1,200 square feet. So he really has about 6,000 square feet of usable space.

Marisol Torrens, even using that calculation, he would still not meet the requirement.

Gary Silver, that is why there is a ZBA. First, let's do this, you should declare yourself Lead Agency.

Matt Stoddard made a motion to declare the Village of Liberty Zoning Board as Lead Agency. Robert Nussbaum seconded. Motion carried unanimously.

Gary Silver, so now the thing to do is schedule a public hearing. Notices have to go out. This application has to go for a 239-M review. The next meeting would be February 27th. Is everyone available for that date at 6 pm? Yes. Okay good.

Matt Stoddard made a motion to schedule a public hearing for February 27th at 6 pm. Seconded by Robert Nussbaum. Motion carried unanimously.

Matt Stoddard made a motion to adjourn the meeting. Seconded by Robert Nussbaum. Motion carried unanimously. Meeting adjourned at 6:15 pm.