

Present: Edward Mazanek, Chairman  
Leonard Sas, Vice Chairman  
Charles Snedaker, Secretary  
Dr. Steve Holowinski  
Vernon Rowlands

Absent: Diane Busko, Clerk to the Planning & Zoning Boards

Also Present: Jeff Jacobs, Attorney for the Village  
Daria Golazeski, Town of Union DCPW/C&O

A brief work session was held at 7:00pm. During the work session the board reviewed the applications on the agenda.

Chairman Mazanek called the meeting to order at 7:30pm & noted the emergency exits.

### **MINUTES**

A motion to approve the minutes of the August 8, 2016 regular meeting was made by Mr. Snedaker and seconded by Dr. Holowinski. The motion carried with all those present voting in the affirmative.

**PRIVILEGE OF THE FLOOR** - None

**COMMUNICATIONS** - None

**CONTINGENCIES** - None

**OLD BUSINESS** – None

**NEW BUSINESS** - None

### ***Spirit Halloween - 560 Harry L. Drive*** ***Public Hearing – Sign Variance***

American Sign & Engraving has submitted an application on behalf of Spirit Halloween to install a temporary banner on the rear face of the commercial building at 560 Harry L Drive, the former Weis Market space. Per Code 300-52.5, a banner may be permitted only as a temporary sign to communicate the opening of a new business for a total of 10 days. The banner measures 4' by 20' and would be attached to the rear of the building facing Route 17. American Sign & Engraving is applying for an area variance to extend the allowable time for Spirit Halloween to display the temporary banner from 10 days to 90 days.

Kevin Reardon with American Sign & Engraving was present on behalf of the applicant.

Chairman Mazanek opened the public hearing.

Mr. Reardon reviewed the request. They have the permission of the building owner, the Akel Family. This sign will help the business increase sales and will help to market the building.



Mr. Sas asked if 90 days was sufficient. Mr. Reardon stated yes.

Chairman Mazanek closed the public hearing.

Chairman Mazanek read the department head comments.

**Department Head & 239-Review Comments:**

**Police:** No compelling interest.

**Fire:** No compelling interest.

**Code Enforcement:** No comment / no objections.

**Public Works & Water:** No compelling interest.

**Planning Department:** The Planning Department staff recommends:

Approval of the time period for the display of the banner to 90 days, to be located on the rear of the former Weis building on the same space as were mounted previously permitted signs. As recommended by the NYS DOT and BC Planning, Planning staff recommends the banner be removed as soon as the Halloween store closes for the season. Previously, Giant Markets and Weis Market had a sign in the same space on the rear of the building. The new business is seasonal, and the owners would like visibility from Route 17 for potential customers prior to Halloween.

**B.C. Planning Dept.:** No significant countywide or intercommunity impacts identified, but recommend that the sign be displayed only during the time period that the Halloween store is in operation.

**NYS DOT:** This banner is okay as long as it is restricted to being there within the time period during which the Halloween store is in operation with an active opening/closing hours schedule.

**JC Planning Board:** Recommend approval of the variance to the Zoning Board of Appeals for up to 90 days or until the store closes for the season.

Attorney Jacobs explained that a SEQR Short Environmental Assessment Form has been prepared and reviewed.

**SEQR**

The board, having reviewed Part I and Part II of the SEQR Short Environmental Assessment Form ("Short EAF") has determined that there will not be any significant adverse environmental impacts with respect to the project, therefore a motion was made by Mr. Sas and seconded by Mr. Snedaker finding that the proposed action will not have a significant adverse environmental impact and authorizing the Chairman to sign the Negative Declaration.

Motion Carried – Vote:

**Yes – 5** (*Snedaker, Holowinski, Sas, Rowlands, Mazanek*)    **No – 0**    **Absent – 0**



A motion to approve a variance to allow a temporary banner on the back of the building until the closing of the store including the department head comments was made by Mr. Rowlands and seconded by Mr. Sas.

Motion Carried – Vote:

**Yes** – 5 (*Snedaker, Holowinski, Sas, Rowlands, Mazanek*)    **No** – 0    **Absent** – 0

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**Agron Cekic – 31 Broad Street**  
**Public Hearing – Parking Variance**

Agron Cekic has submitted an application to convert an 825 square-foot space into a take-out restaurant (pizza/deli) in an existing mixed-use building located at 31 Broad Street in a Neighborhood Commercial Zoning District. The take-out restaurant use is permitted by Special Permit from the Planning Board. The building currently consists of one commercial space on the first floor and one two-bedroom and one three-bedroom apartment on the second floor. The proposed take-out restaurant will also provide seating for eight (8) customers. There is no parking at the site and the seating requires 4 parking spaces. An area variance for four (4) parking spaces is required. There are approximately 50 parking spaces on the adjacent municipal lot which is in a Central Business zoning district.

The applicant, Mr. Agron Cekic, was present.

Chairman Mazanek opened the public hearing.

Mr. Cekic explained that he is the owner of Mama’s Pizzeria and Deli.

Mr. Sas asked about the hours of operation. Mr. Cekic explained that it will be Monday – Saturday from 8 or 9 – 11pm.

Mr. Rowlands asked where the upstairs tenants park. Mr. Cekic stated that they don’t have cars. Chairman Mazanek explained that the tenant parking is grandfathered. This is just for the pizzeria.

Chairman Mazanek closed the public hearing.

Chairman Mazanek read the department head comments.

**Department Head and 239-Review Comments**

**Code Enforcement:** Parking is required at a rate of 0.5 spaces per seat if there is any seating, or 2 spaces per 1,000 square feet if the use is only take-out.

**DPW:** There is not much room for plumbing but it will have to be redone to install a backflow prevention device. Details are needed for the three-quarter inch meter location, and a grease trap is required.

**Police:** No compelling interest

**BC Health Dept:** The applicant should contact Mark Mancini at 778-2810 for information on BCHD restaurant permitting requirements. This should happen before work begins on the facility.

**BC Planning Dept:** No concerns for intercommunity impacts, but recommend that the

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project site should include landscaping at the building entrance. *The building fronts on the municipal sidewalk so landscaping is not permitted.*

**BMTS:** No comments.

**JC Planning Board:** Recommend approval of the parking variance for 31 Broad Street to the Zoning Board of Appeals.

**Planning Dept:** The Planning Department staff recommends that the Planning Board recommend to the ZBA approval of the area variance for four parking spaces. The Planning Department staff notes that the four (4) required parking spaces for the take-out business will not place a burden on the adjacent municipal parking lot. If the variance is granted, the Planning Board will hold a Public Hearing for a special permit for the take-out restaurant use. If the Special Permit is approved, the Planning Board will conduct a site plan review.

A motion to approve a variance to reduce the minimum required number of off street parking spaces from 4 to 0, including the department head comments was made by Mr. Rowlands and seconded by Mr. Sas.

Motion Carried – Vote:

**Yes** – 5 (*Snedaker, Holowinski, Sas, Rowlands, Mazanek*)    **No** – 0    **Absent** – 0

## ADJOURNMENT

A motion to adjourn the meeting at 7:40pm was made by Mr. Sas and seconded by Mr. Snedaker.

Respectfully submitted,



Diane Busko  
Zoning Board Clerk

