

**Town of Oswego
Zoning Board Minutes
May 16, 2013**

Chairman: Gregory Auleta
Zoning Board Members: Tim Anderson, Robert Baker, Robert Dexter, Debra Jaskula
Attorney to the Board: Kevin Caraccioli
Secretary: Teresa Botting

The meeting of the ZBA was called to order by Chair Greg Auleta at 7:00 PM.

Members present: Greg Auleta, Tim Anderson, Robert Baker, Robert Dexter, Debra Shoenfelt-Jaskula, Attorney Kevin Caraccioli
Teresa Botting secretary, excused, Theresa Cooper, secretary pro tem

Others Present: Karen & Emery Fenske, Dan May, Antonio Cantu

Acceptance of Agenda: Agenda accepted with no changes

New Business: Chairman Auleta welcomed everyone and explained that the ZBA is fair and honest with all who appear before them.

Minutes: Motion by Tim Anderson, second Robert Dexter to accept the minutes with corrections: delete the word other regarding M. Cantu property and correct Ingress/egress off St, Rt. 104 not Thompson Rd, not 104 should be Thompson.
All ayes motion carried.

**Open Public Hearing 7:05 PM: Emery & Karen Fenske of 735 Co. Rt. 20 requesting area variance.
Tax map 163.00-02-07.01**

Emery Fenske: Explained his request for a variance for an addition on his trailer, his contractor Doug Bower was present also.

Greg Auleta: Is there a foundation under the building?

E. Fenske: there will be pillars

G. Auleta: Did you send out letters?

T. Cooper: Yes, we have all confirmation on file.

Attorney Caraccioli: Attorney Caraccioli explained the area variance guidelines for this request.

Doug Bower: This is a long and narrow lot, he drew up the plans, and this will be a 700 sq ft. standard construction addition. It will be built on post not attached to trailer, self-supporting., the flooring self-supporting, there will be a passage going from trailer to this addition.

Debbie Jaskula: There shows a deck, is this gone?

D. Bower: The deck is gone and the room will be placed in the same spot. Same size as deck.

G. Auleta: Asked about encroachment of the property and no one has problem with this variance?

E. Fenske: He spoke with his neighbor to the west, Dan Delaney and he has no problem with this addition.

Atty Caraccioli: A 13' variance is needed.

Robert Baker: On the drawings , it is not to scale? What about insulation between floor? Heating questions,

pellet stove will this be supplemental heating?

D. Bower: He had a larger set of plans and explained the heating and insulation question.

D. Jaskula: On ZBA form item B, all items read and all ok.

Atty Caraccioli: No impact.

Resolution 2013-02 Motion by Debbie Shoenfelt-Jaskula, second by Tim Anderson to grant a 13' variance on west side of property to Emery & Karen Fenske.

Aye: Auleta, Anderson, Baker, Dexter, Jaskula, 0 Nay.

**Public Hearing #2 7:20 PM
Dan May 2609 Co. Rt. 7
Use variance 2285 Co. Rt. 7 164.014-06.08**

G. Auleta: Asked Dan May to please explain his plans for the property at 2285 Co. Rt. 7.

Dan May: Explained his business plans for this property, how long he has operated this type of gun stock business beginning at first in his basement. He has a LLC and a partner Kenneth Waite III, a business in Cato and wanted another place to operate his business in Oswego Town.

Atty Caraccioli: The application should be amended to read Classic Gunstocks, LLC on application with other partner listed.

D. May: We mainly work on antique guns, we have a nationwide clientele. We have a retail component in place taking special orders but the retail is not the primary focus.

G. Auleta: Are there any plans for using the property for shooting range?

D. May: No, there is not enough room for shooting, we will have a sound proof room to fire guns to check them. We will be open 5 days, 3 days regular hours and 2 days by appointment only.

We have all Federal and NYS licensing and fully insured, all inspected by the Bureau of Alcohol and Firearms. There should be no impact on traffic, mostly UPS delivery and there is parking for 6 vehicles now and there I would not have more than 3 cars at a time there.

I will have 24 hour electronic security system in place, also storage had Federal and State standards for storage of weapons.

G. Auleta: Asked Attorney Caraccioli with the nature of this business are there any formal interaction we would need pertaining to Federal regulations?

Atty Caraccioli: We can attach certain approvals to this application for use as permitted.

Robert Dexter: As a town what do we want?

G. Auleta: Setting our own precedents would avoid dilemma of coming back.

R. Baker: Are you required to keep guns in a safe?

D. May: No, we are not required. ATF will inspect area for safety issues. We do a large volume of work 50-100 at any time and need to leave work out. A safe big enough would be burdensome. The interior is surrounded by small rooms; we would make a room more secure for guns.

G. Auleta: Can we insert a condition for extra security?

D. May: We keep the guns out for a long time as we work on them.

G. Auleta: What about the sign? Basically affirming to install in existing footprint a sign 3x4.

D. May: The sign itself is 3x4, I have double checked the measurement of the current sign. My new sign will be the same as the current sign in the same spot.

We have a trademark for a new sign. See attached

D. May: I did measurements from the road and from driveway for the sign.

G. Auleta: Do we have all the letters from the neighbors?

T. Cooper Yes all mailings are on file.

Dan Phillips: I am a neighbor living across the street and am very excited about this business.

D. Jaskula: This is not a business zone.

G. Auleta: Planning board will address egress/ingress.

Atty Caraccioli: This will be a continuation of a non-conforming use.

Resolution 2013-03 Motion by Greg Auleta, second Robert Dexter to accept application for Classic Gunstocks, LLC. All ayes motion carried.

G. Auleta: We will accept proposal for a continuation of existing use of building, non-conforming use for business/retail overriding zoning officer's recommendation with the following additions; submission of ATF compliance; enhance secure room for safety and storage of fire arms. Attorney will prepare formal resolution.

D. May: We do some hand gun work and we have all NYS licenses.

R. Baker: Do you have gun powder and is the fire department notified?

D. May: Yes, we will be working with fire department and we are fully licensed.

Resolution 2013-04 Motion by Greg Auleta, second Tim Anderson to approve submitted sign application. All ayes motion carried.

**Public Hearing #3
Antonio Cantu
Use Variance
7089 St Rt 104 Tax map #145.07-01-08**

A.Cantu Stated he will be meeting with State DOT on Tuesday

Old Business: Attorney Caraccioli gave an update on two lawsuits; College Suites, Dunsmoor v town was dismissed; United Group will continue this project
Carson v town was dismissed.

Motion by Tim Anderson, second Robert Dexter to adjourn the meeting at 8:15 PM.
Respectfully submitted,

Theresa A. Cooper
Secretary Pro-Tem