

**Town of Wawayanda ZONING BOARD OF APPEALS
November 12, 2015 / 7:00 P.M.**

Members Present: Richard Onorati, Chairman
Bruce Lewis
Ronald Myruski
Raymond Spiak
Jeffrey Soons, Alternate

Members Absent: Daniel Post
Consultant Present:
David Bavoso, Esq.

Recording Secretary:
Patricia Battiato

The November 12, 2015 Town of Wawayanda Zoning Board of Appeals meeting was called to order at 7:00 P.M. by Chairman Richard Onorati. Chairman Onorati asked alternate board member Jeffrey Soons to join the board at the Dais in the absence of Board Member Daniel Post.

I. INFORMAL

Anita Geary – Incredible Eat-ables / SBL# 1-1-3.223 / Dolsontown Road – MC-1 Mixed Commercial Zone

Applicant is applying for an area variance of 195 Schedule of Zoning District Regulations for less than the required lot acreage and for an Interpretation of a Bakery use on site.

Ms. Geary approached the board and stated her name for the record. Ms. Geary explained that she needs an area variance because the total acreage of this property is 1.181 and the zoning calls for two acres.

Attorney David Bavoso explained that even though the house exists the proposal is for a new use. The acreage is less than what is required to today's existing zoning so an area variance is needed. That is why the Planning Board referred the applicant to come area variance. As far as "Bakery", the MC Zone does not specifically list "bakery" but it does allow food in the uses. Also, under the Special Uses of the MC Zone, it does list Farm Markets, microbreweries, wineries, distilleries and similar retail establishments.

The board discussed that the zoning only has "large retail" allowed, and did not understand why "general" retail was not allowed, but agreed that a Bakery

could be on site for wineries, microbreweries, etc. The board felt if restaurants were allowed, then bakeries were allowed.

Motion by Ronald Myruski, seconded by Bruce Lewis to set a Public Hearing for December 10, 2015

All in Favor Motion Carried

II. OTHER BUSINESS

Approval of Minutes for September 10, 2015 and October 15, 2015

Motion by Ronald Myruski, seconded by Bruce Lewis to approve the minutes from September 10, as submitted

All in Favor Motion Carried

Motion by Bruce Lewis, seconded by Jeffrey Soons to approve the minutes from October 15, 2015 as submitted

All in Favor Motion Carried

The November 12, 2015 Town of Wawayanda Zoning Board of Appeals was adjourned by Chairman Richard Onorati at 7:16 p.m.

Respectfully Submitted,

Patricia Battiato
Secretary to Zoning