

ZONING BOARD OF APPEALS

A hearing before the Hudson Falls Zoning Board of Appeals was held on June 28, 2021 at 6:00 p.m. in the Village Hall Board Room.

Present: Robert Durkee, Chairperson
Jennifer Langlois, Board Member
Louis Cantiello, Member

James Buxton, Code Enforcement Officer
William Nikas, Village Attorney

Absent: Bridget Davis, Board Member
Michael Willig, Board Member
Tammy Mullen, Alt. Board Member

Public Present: None

Chairman Durkee called the meeting to order at 6:00pm.

Upon motion by Board Member Langlois, seconded by Board Member Cantiello and carried the minutes of the February 16, 2021, Zoning Board Meeting were approved as submitted.

The first item on the agenda was a use variance application submitted by Bernard Sipowicz, 108 River St., Hudson Falls NY 12839 seeking a use variance to allow a deli business with food service at 82 Boulevard, Hudson Falls, NY.

Chairman Durkee introduced the board and opened the floor to the applicant to discuss his request. Mr. Sipowicz stated he had an interested party in purchasing the property and returning it to a deli as it was for over thirty years. Chairman Durkee asked if the applicant can apply on her behalf. Village Code officer Buxton said that the use variance would transfer to the new owner if approved at this meeting. The business was closed for a year, which is the reason the use variance needs to be re-visited. A discussion ensued.

Chairman Durkee asked Village Code Officer James Buxton if there were any problems or concerns with this. Mr. Buxton stated he has no issues.

Chairman Durkee opened the meeting to public hearing.

There being no public present, the public hearing was closed.

Chairman Durkee asked the board if they had any questions. There were no questions from the board.

Attorney Nikas stated as this was a Use Variance there were a few findings to consider before reviewing SEQR. He went over the findings in which all board members agreed the applicant satisfies the factors that would allow for a use variance.

Upon motion made by Board Member Langlois, seconded by Board Member Cantiello, and carried it is

RESOLVED, the Zoning Board agrees the applicant satisfies the factors that would allow for a use variance and that the Zoning Board declare itself Lead Agency for this application.

Attorney Nikas then reviewed the short EAF form with board. The environmental assessment form questions were read aloud, and the Board answered each of them stating no or small impact.

Upon motion made by Board Member Cantiello, seconded by Board Member Langlois and carried it is

RESOLVED, after reviewing a short form EAF, the board has determined that the action does not present any adverse environmental impacts. The Board further determined that, based upon the foregoing, a negative declaration be issued.

Duly adopted this 28th day of June 2021, by the following vote:

AYES : Chairman Durkee, Board Members, Cantiello, Langlois
NOES : N/A
ABSENT: Board Members Davis and Willig, Alt. Board Member Mullen

Upon motion made by Board Member Langlois, seconded by Board Member Cantiello and carried

NOW, THEREFORE, BE IT RESOLVED, to approve the Use Variance Application for 82 Boulevard as submitted

Duly adopted this 28th day of June, 2021, by the following vote:

AYES : Chairman Durkee, Board Members, Cantiello, Langlois
NOES : N/A
ABSENT: Board members Davis and Willig, Alt. Board Member Mullen

There being no further business to come before the Board the meeting was adjourned at 6:10 pm.


Deputy Clerk