

Village of Caledonia Planning Board and Zoning Board of Appeals  
Meeting Minutes for March 16, 2021

Planning Board Members Present: Rhett Clark, Marge Landowski, Brenda Nelson, Jason Hunt  
Planning Board Member Absent: Linda Ludlum

Zoning Board of Appeals Members Present: Steve McIlwaine, Bill Hughes, Patrick Talty, Bob Middleton

Others in Attendance: See attached sign-in sheet

The meeting was called to order at 6:30 pm with the Pledge of Allegiance.

**February 2021 Minutes**

Motion by Marge Landowski, seconded by Jason Hunt, to approve the February minutes.

Aye: Rhett Clark, Marge Landowski, Brenda Nelson, Jason Hunt

Nay: None

Abstention: None

**Eric Weis / Auto repair, 3200 State Street**

Mr. Weis would perform general auto repairs, and 90% of his work is for public customers. He and 1 employee would work there. Hours will be 8:00 – 5:00, and later as needed. He plans to install 1 sign on the building, which is allowed by code; he just needs to apply for a permit.

This property has been an auto service business since 2000: it was approved for use as such in 2000, 2015, and 2019, as business ownership changed. This is also a pre-existing, non-conforming location.

There is an easement with the apartment next door, and there have been parking complaints in the past. Mr. Weis stated that based on the layout, parking should be easy to manage.

Bill Carr, who owns the property, said the Village has allowed them to keep 150 tires in the past, and has never had a problem with that quantity in the past.

Motion by Jason Hunt, seconded by Brenda Nelson, to approve the business.

Aye: Rhett Clark, Marge Landowski, Brenda Nelson, Jason Hunt

Nay: None

Abstention: None

## **Cappotelli Daycare / 2980 West Main Street**

Janet and Chris Cappotelli would like to open a daycare at this address. It was previously used for this purpose, by a different owner, but has been vacant for approximately 2 years.

The property is zoned R2. With this zoning, home daycare is allowed, but this is not at the Cappotellis' residence.

The Zoning Board of Appeals provided an interpretation of using this as a daycare center, and all members are in agreement that it would be an acceptable use. It was a daycare, and will be one again.

Motion by Patrick Talty, seconded by Bob Middleton, to approve continued use of this property as a daycare.

Aye: Steve McIlwaine, Bill Hughes, Patrick Talty, Bob Middleton

Nay: None

Abstention: None

### *Daycare Information*

- Cappotellis are waiting on loan approval
- Mr. Cappotelli is a physics teacher, and may offer tutoring services after retirement
- They would hire staff members
- This project needs referral to the County Planning Board because of its Route 5 location. Rhett will get the information to them.

Motion by Marge Landowski, seconded by Brenda Nelson, to offer approval contingent on County Planning Board.

Aye: Rhett Clark, Marge Landowski, Brenda Nelson, Jason Hunt

Nay: None

Abstention: None

## **Public Hearing, Upstate Breaker / 1 Technology Place**

The Public Hearing, regarding a subdivision at this property, was opened at 6:47 pm.

Adam Schneider, owner of Upstate Breaker, was in attendance at the meeting.

This property has condemned buildings, which are bank-owned and hard to sell. The bank Mr. Schneider is borrowing from doesn't want the liability of those buildings on the loan. This leads to the requirement for subdivision of that portion of the property from the main building. The bank selling the property and Adam will split the cost of cleanup (demolition and removal). The funds for this will be held in escrow, with the Village as the beneficiary.

A way to look at the subdivision, referenced in questions/answers below:

Right now it's all Property A.

A is being split into:

Portion A – the working building

Portion B – the portion where demolition will occur

Once the property is cleaned up, Mr. Schneider will assume maintenance of the area where buildings were demolished. He will lease it back for the cost of taxes.

*Bob Middleton* asked why he can't buy both parcels as they are?

The bank requires subdivision as part of the loan. The loan is an SBA loan, which has tighter restrictions.

*David Reed, on Philmore Avenue* asked in which parcel the green space/retention pond will be?

Portion A

*Bob Middleton* asked about possible contamination

LaBella is performing testing. There was less contamination than expected, at levels less than what is allowed in drinking water levels. JP Schepp, Village Engineer, will review the soil and water tests.

*Adrienne Johnston, 365 Maple Street* asked about maintenance and mowing

The grassy areas will all be mowed and kept clean.

*Adrienne* also asked for clarification regarding construction of a new building on the property and truck traffic.

Mr. Schneider would like to build one on the side of the property near the current usable building.

Trucks will be coming to the loading dock, and Adam does not know which route they take to get there: Center Street or Maple Street.

*Tim Johnston, 365 Maple Street*, asked about the retention pond area.  
This is greenspace, and it will be kept mowed.

*Patrick Talty* if there will be needs for a variance as part of the subdivision requirements.  
There may be a need for an Area Variance. Use Variance would not be needed because this business is an approved use at this location.

Other notes:

- DEC will have a minimal role. JP Schepp stated that if tests come up clean, there will be minimum to no DEC involvement.
- Demolition will be to the concrete slabs/pads. The foundation and walls will come down but the ground will not be disturbed.
- Fencing and trees will be placed to buffer the property from Maple St. neighbors
- A new building will be constructed for additional work space.

Motion by Jason Hunt, seconded by Marge Landowski, to adjourn the meeting.

Aye: Rhett Clark, Marge Landowski, Brenda Nelson, Jason Hunt

Nay: None

Abstention: None

Elizabeth Dietrich

Secretary, Village of Caledonia Planning Board and Zoning Board of Appeals