**Zoning Board of Appeals Public Hearing and Regular Meeting Minutes June 11, 2014**

**Present:** Chair John Dentes, Karen Hindenlang, Marie Taylor, Ann Tobey, and Jeri Vargo

**Others Present:** Clerk Ann Balloni,Bob Cerza, Robin Driskel, and Marie Dentes

**Call to Order:** Chair Dentes called the Public Hearing to order at 7:00pm. Chair Dentes asked Mr. Cerza if he had any additions to Application #13-33 and Mr. Cerza replied that he did not. Chair Dentes opened the floor to public comment and no comments were made from the public.

On motion by Vargo, seconded by Tobey, the ZBA voted to close the Public Hearing at 7:02pm.

AYES: Dentes, Hindenlang, Taylor, Tobey, and Vargo NAYS: None Motion carried unanimously.

Chair Dentes called the regular meeting to order at 7:03pm.

**Changes to the Agenda:** No changes.

**Approval of Minutes:** On motion by Vargo, seconded by Hindenlang, the ZBA voted to approve the minutes of April 9, 2014.

AYES: Dentes, Hindenlang, Tobey and Vargo NAYS: None ABSTAIN: Taylor Motion carried.

**Announcements:** No announcements.

**Visitor Recognition:** Chair Dentes welcomed all visitors and there were no comments.

**Old Business**

**Application #13-35 from Bob Cerza for an addition to his property at 13 Main St. (Tax Map #181.12-1-11.2)**

Chair Dentes reminded those present of Section 1103.D.8 of the Village of Aurora Zoning Law regarding a rehearing of an application. As Mr. Cerza was not present at the January 29, 2014 public hearing, the ZBA members agreed to the rehearing by a unanimous vote at the April 9, 2014 ZBA meeting to allow him an opportunity to present his case. Approval of any change to the original decision of the Board must also be unanimous.

Chair Dentes reiterated that the ZBA, at their January 29, 2014 meeting, upheld the Planning Board decision denying approval of Application #13-35 siting Article VI, section 602.B, as the nonconforming use, in the flood plain, has already exceeded the allowable 25% alteration limit in both area and volume, allowed under the law. The ZBA referred to section 602 of the Village Zoning Law, the applicant’s previous building permits, and board review of the 2003 and 2007 applications while considering their decision.

While reviewing Mr. Cerza’s past applications, it was revealed, by Mr. Cerza, that the original application for construction of the non-comforming use did not include the final revised plans. Therefore, the measurements referenced by the Planning Board and ZBA when making their determination regarding whether the new addition exceeded the allowable 25% increase are inaccurate.

On motion by Chair Dentes, seconded by Hindenlang, the ZBA voted to table the discussion until accurate measurements are submitted by the applicant and confirmed by the Village Code Enforcement Officer.

AYES: Dentes, Hindenlang, Taylor, Tobey, and Vargo NAYS: None Motion carried unanimously.

**New Business**

No New Business was discussed.

**Adjournment:** On motion by Vargo, seconded by Taylor, the ZBA voted to adjourn the meeting at 7:45pm.

AYES: Dentes, Hindenlang, Taylor, Tobey, and Vargo NAYS: None Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk