

CONTINUANCE OF PUBLIC HEARING OF THE HANCOCK ZONING BOARD OF APPEALS
TO HEAR APPLICATION OF KUEHN MANUFACTURING/K-TOOLING FOR A USE VARIANCE
THURSDAY, MAY 26, 2016 AT 3:00 P.M., HANCOCK VILLAGE HALL,
85 EAST FRONT STREET, HANCOCK, NEW YORK

The Public Hearing Continuance was called to order at 3:00 PM by Chairman Harold Morgan. Roll call was taken and the Notice of Public Hearing was read by Clerk/Treasurer Falsetta.

Present: Chairman Harold Morgan
James Picozzi
Edward White

Also Present: Phyllis Falsetta, Village Clerk/Treasurer
Nathan VanWhy, Attorney for Village of Hancock
See attached sign in sheet

Mr. Nemeth and Attorney Sussman addressed informed the Board that many of the statements made at the April 21, 2016 public hearing by Mr. Kuehn and Attorney Pope were false. It was stated that the 800 square foot building is not an integral part of the manufacturing nor had it always been. According to Mr. Nemeth, Mr. Kuehn's brother previously fixed cars in that space and yard sales were run out of it. The Attorney Sussman's argument being that the building was illegally constructed and is not an integral part of the business and that the Kuehn's hardship is self inflicted.

Mr. Sussman questioned whether the Kuehn's would have been granted a use variance back in 2001 when they applied for the building permit. It was pointed out the Kuehns have made profitable use of a non-conforming use addition for more than 15 years.

Mr. Nemeth read a statement which he submitted to the Board. He states that he feels he pays first class taxes in the Village but is treated like a second class citizen. He blames small town politics and Village Code Enforcement Officer Michael Salvatore's lack of action as a problem and that Mr. Salvatore picks and chooses the code laws that he enforces. He will no longer be a prisoner in his own home.

Mrs. Valerie Garcia questioned the Board as to why this whole ordeal has turned into a financial issue. What about her financial situation, she feels that the value of her property has decreased due to the manufacturing next door.

Chairman Morgan pointed out that at the April 21, 2016 meeting, an estimate to convert the Kuehn property to a seven unit apartment is not an allowed use in an R1 district. One and two family residences are allowed.

It was agreed to adjourn and schedule work session for the ZBA members within the next few weeks. 2016. Clerk Falsetta will contact the interested parties when the date is established.

The public hearing was closed at 4:11 P.M.

Respectfully Submitted by:

Phyllis Falsetta - Clerk/Treasurer