



**TOWN OF VESTAL
ZONING BOARD OF APPEALS
605 Vestal Parkway West
Vestal • New York • 13850-1486
Telephone (607) 786-0980 Ext. 201
Fax (607) 786-0984**

ZBA BOARD MEMBERS:

Chairman: Jennifer Kakusian
Members: Mark Tomko
Tom Smallcomb
Paul Houle
Alternates: Eugene Burns
Thomas Jackson, Jr.
John Taylor
Attorney: Phillip Grommet

TOWN OF VESTAL ZONING BOARD OF APPEALS

In the Matter of the Application of:

Gregory Rollo/GSR Fit
2220 Stage Road
Vestal, NY 13850
BCTM#: 158.09-1-16

For variances as required by:

- Chapter 24, Article IV, Division 3, Section 24-207 pertaining to having less than the required parking spaces in a "C-2" Community Business District.
- 239 Short Environmental Form (Part 1) provided by applicant
- At a meeting duly scheduled for October 11, 2018, the Zoning Board of Appeals of Town of Vestal held a public hearing to consider the application of Gregory Rollo/GSR Fit regarding premises situated at 2220 Vestal Rd. (BCTM#: 158.09-1-16) for a variance for non-conformity with: Chapter 24, Article IV, Division 3, Section 24-207 pertaining to having less than the required parking spaces in a "C-2" Community Business District.

Jennifer Kakusian, ZBA Chairman started the meeting by noting that the ZBA Attorney, Phillip Grommet, Esq. of Levene, Gouldin and Thompson, had sent an email notifying her that he would not be able to represent the Town in this decision. Levene, Gouldin and Thompson represents Mr. Gregory Rollo in other legal matters, thus there would be a conflict of interest. Mr. Phillip Grommet, Esq. duly recused himself from this discussion and was a member of the audience throughout the decision.

There were no letters of opposition to the case.

The floor was open for discussion.

Glenmarie Green-Gonzalez, 308 Elm St. inquired as to the encroaching parking, trees that may/may not be cut and the fence. Mr. Rollo answered these questions to the satisfaction of Ms. Gonzalez.

The floor was closed for discussion.

Board members had stated that they visited the site or were familiar with the character and nature of the area. Discussion ensued regarding the history of the property, the renovations that Mr. Rollo has done to the property, and his plans future development and plans of the property.

The Board completed the 239 Short Environmental Form Part 2 (Part 1 was corrected by the Board).

After due deliberation the Zoning Board of Appeals makes the following finding of facts and conclusions of law:

- 1. Whether undesirable change would be produced in character of neighborhood or would be a detriment to nearby properties: **NO**
- 2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: **NO**
- 3. Whether the requested variance is substantial: **YES**
Under current code there is parking for only half the building
- 4. Whether the variance would have an adverse impact on the physical or environmental conditions in the neighborhood: **NO**
- 5. Whether the alleged difficulty was self-created: **NO**


A motion was made by Mark Tomko to allow a use variance per Chapter 24, Article IV, Division 3, Section 24-207 pertaining to BCTM#: 158.09-1-16 also known as 2220 Vestal Rd. as presented to the board allowing a parking variance for 146 spaces.

Conditions to Motion: Should the applicant lease more than one-half the building space, he must return for further review.

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>
JK	x	
MT	x	
TS	x	
TJjr	ABSENT	
EB	ABSENT	
JT	ABSENT	

Passed: X Failed:

Dated: October 11, 2018

Affirmed: 
(Jennifer Kakusian, ZBA Chairman)



KATHIE S. YOUNG
Notary Public, State of New York
Qual. in Tioga Co. No. 01Y06089484
Commission Expires March 24, 20 19