

Zoning Board of Appeals
Village of Dexter
Monday, October 14, 2015
Special Meeting/Minutes
6:30 PM

The special meeting was held to hear information from Stephen Mizgala in reference to property his family owns located at 544 Lakeview Drive. Mr. Mizgala is seeking a use permit in order to open a pizza business.

Quorum: Yes

Meeting called to order by Chairman Butler at 6:30 PM.

Members present: Donald Butler, James Marvin, Steven Carr, John Stano
Members absent: Stephen Higgins {called in}
Also present: James Eves, Mayor
Michael Bourcy, Jefferson County Planning
Jean Simoneau, Planning Board Chairman
Deb Harmann, Planning Board Member
James Millington, Zoning Officer/Code Enforcer
Stephen Mizgala {father of applicant}
Stephen N. Mizgala, applicant

Privilege of the Floor: none

New Business: Chairman Butler ask Stephen N. Mizgala to inform the Board about his proposed plans to open a pizza place at property owned by his family and located at 544 Lakeview Drive.

Mr. Mizgala stated the following:

His family has been tied to this area for a number of years.

On December 18, 2007, Mr. Mizgala's parents bought the property at 544 Lakeview Drive believing it was a turnkey business. Property was purchased from Debbie Crescent through a realtor, Amanda Miller, and a lawyer, Eric Swartz. At the time of purchase, the applicant and his family were living in Germany.

When the Mizgala's went to the village office to have the water turned on at the property site, they were told the property was not zoned commercial and had been vacated for over one year. Thus, they would have to apply for a use permit. At that time, it was denied by the Zoning Officer and sent to the Zoning Board. The ZBA requested information from Mrs. Crescent that was never delivered.

Mr. Mizgala has 20 years of experience in the cooking & restaurant business. He envisions the business as being a takeout business offering pizzas, wings, salads. He also would like to have a small table service available and possibly an outside eating area in the nice weather. No bar or bands and probably would close the business by 10:00 PM. He may also consider a catering service in the future. He feels there will be little impact on the neighbors. The business would enhance the look of the area as he will modernize the building, keep it cleaned and well maintained. Traffic in the area will increase somewhat. Part time employment for local teenagers will be offered. It would be beneficial to the village to have another business opened.

Members of the ZBA stated the following:

Intent of the Zoning Law must be considered.

Safety concerns for traffic coming off Pillar Point must be considering.

Parking concerns. 1 parking spot per 60 square feet.

Questioned whether parking area would be paved.

Spot Zoning is only done when the Village Board of Trustees is willing to change the current zoning by Board approval and a local law.

Use Variance goes with the property as long as the business is not vacated for over a year.

The next meeting will be held on Monday, October 26, 2015 at 6:30 PM if Mark Gebo is able to attend. The members of the Board are requesting his expertise on this matter.

Motion John Stano 2nd Donald Butler to adjourn meeting.
Ayes: 4 Donald Butler, James Marvin, Steven Carr, John Stano

Meeting adjourned 7:42 PM.

Respectfully submitted,
Charlene Mannigan
Clerk