

**Village of Hilton Zoning Board
Meeting Minutes of February 22, 2011**

Member's Present: Chairman Richard Bjornholm, Richard LaForce, Pat Holenbeck, Tom Scheg, Dave Wright

Administration Present: Mike Lissow; Code Enforcement Officer, Larry Speer; Village Board Trustee-Liaison, Debbie Jones; Recording Secretary

Guests: Cliff LeBeau, Craig Faulks

The meeting was called to order with the pledge of allegiance to the flag at 7:00 p.m.

Chairman Richard Bjornholm explained the functions and responsibilities of the Zoning Board.

1. PUBLIC HEARING- 100 LAKE AVENUE – USE VARIANCE

Application of Craig Faulks, 100 Lake Avenue, for a Use Variance to operate a four (4)-unit rental property, the structure is currently an approved three (3) unit rental property. Per Section 24-302-A, of the Hilton Zoning Code. This property is zoned Residential District.

Public Hearing opened at 7:05 p.m.

Craig Faulks was present to represent this application. Mr. Faulks stated he has taken pride in ownership of this property for the past 11 years but the maintenance and upkeep is expensive. Mr. Faulks is requesting this Use Variance for the 4th apartment for additional income. Some of his tenants have lost jobs and there is a past history of evictions. Mr. Faulks feels there will not be any negative effects on the neighborhood from this transition.

Chairman Bjornholm read the criteria set forth by the New York Planning Federation for granting a Use Variance. Chairman Bjornholm explained to Mr. Faulks that all four of these guidelines must be met.

Mr. Faulks stated there are three (3) rented units now and feels there is plenty of room for a 4th unit. Mr. Faulks feels with the Commercial property across the street and the Limited Commercial property on the southeast corner of Lake Avenue and Railroad Avenue the impact of this additional unit would be minimal.

PUBLIC COMMENT:

Cliff LeBeau, 38 Railroad Ave, only issue he has is with the tenants from 100 Lake Ave using his yard as a walk-thru and trash being thrown in his yard.

Code Enforcement Officer, Mike Lissow stated we haven't had any feedback in the office.

7:18 p.m. Richard LaForce made the motion to close the open portion of this meeting, seconded by Tom Scheg. Motion approved 5-0.

BOARD COMMENT:

Member Holenbeck asked Mr. Faulks if he lived at 100 Lake Avenue? Mr. Faulks stated he doesn't live at this address.

Member Wright asked Mr. Faulks regarding his follow through on security deposits, leases, etc. Mr. Faulks stated most times it isn't worth it financially to go through the eviction (court) process.

Member Scheg inquired as to when the 4th unit became involved. Mr. Faulks stated the property had the 4th unit when he purchased it. There are no records of the 4th unit in the Village's address file.

Chairman Bjornholm has requested from Mr. Faulks the Supplemental Income and Loss Statements for 100 Lake Avenue for the past 3 years in order to proceed with the requested Use Variance. This meeting will be rescheduled at a later date and a decision rendered when Mr. Faulks provides the Zoning Board with all the requested documentation.

REPORTS

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| Liaison's Report - | Larry Speer gave his report |
| Zoning Code Officer's Report - | Mike Lissow gave his report |
| Chairman's Report - | Chairman Bjornholm gave his report. |

MINUTES

Motion to approve the July 27, 2010 minutes as submitted, motion made by Tom Scheg , seconded by Dave Wright . **Motion** approved 5-0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:52 p.m. **Motion** made by Richard LaForce, seconded by Pat Holenbeck .

Respectfully Submitted,

Debbie Jones, Recording Secretary