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# VILLAGE OF HILTON

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Zoning Board of Appeals  
Meeting Minutes of May 27th, 2025  
Approved

ZBA Member's Present: Chairman Kim Fay, Harry Reiter, Joe Ruta, Elaine Begy, Nicole Mazzucco, Paul Cliff, Laura Pettine (Alternate)

Administration Present: Code Enforcement Officer/Village Board Liaison; Mark Mazzucco, Village Board Liaison; Larry Speer, Recording Secretary; Aimee Doser, Village Manager; Shari Pearce, Village Mayor; Joe Lee

Guests: Christine Brower, Jennifer Cogliandro, Andrew Fowler, Shaun Logue (MRB), Sky Horton (ADP), John Ott (Indus Hospitality Group), Bob Mullen, Debra Hebing, Mike Sengillo.

**Chairman Kim Fay** called the meeting to order at 6:30 p.m.

**Chairman Kim Fay** declares, for the minutes, that a quorum is present so the meeting may proceed as planned.

## **REPORTS:**

Code Enforcement Officer Mark Mazzucco stated nothing to report due to the time constraints of the meeting.

## **MINUTES:**

Approval of minutes from the May 13<sup>th</sup> meeting postponed until the next meeting.

**Member Ruta** read and explained the procedures of the Zoning Board.

**PLANNING SEGMENT – 144 SOUTH AVE – Application of Jeff DiCesare to operate a Dunkin Donuts establishment with a drive-thru.**

1. **SEQR Short EAF Part 2 (Review) – *No Impacts Anticipated***  
**SEQR Resolution – *Review & Sign***  
**SEQR Short EAF Part 3 - *Review & Sign***

## **2. AREA VARIANCE - RESOLUTION**

Application of Jeff DiCesare for property located at 144 South Avenue for an Area Variance for relief from Section 275-36C(1) to allow 85 parking spaces and 5 drive-thru Stacked spaces. Currently there are 91 existing parking spaces.

### **Motion to approve:**

Chairman Fay made the motion to approve the Area Variance to allow 85 parking spaces and 5 drive-thru stacked spaces. Seconded by Member Cliff. Approved 5-0.

## **3. CONDITIONAL USE and FINAL SITE PLAN APPROVAL RESOLUTION**

Application of Jeff DiCesare for the property located at 144 South Avenue to operate an eating and drinking establishment with a drive thru. Per Section 275-15C (1)-- Conditional Use Permit is required for any use permitted in Section [275-15B](#) to the extent not conducted within a completely enclosed building.

Application of Jeff DiCesare for Site Plan Review for property located at 144 South Avenue to construct a  $\pm$  1,500 square-foot addition to an existing building for an eating and drinking establishment with a drive thru.

### **PUBLIC COMMENT CLOSED THIS MEETING**

### **BOARD COMMENT/QUESTIONS:**

**Member Pettine** asked, in order to make the turns, the only truck coming will be the smaller truck for deliveries.

**Sky Horton (ADP)** said yes, however, McDonald's does often use their lot so they can't guarantee what they do.

**Member Begy** stated that the driveway is still a two-way onto Panarites Lane.

**Sky Horton (ADP)** yes but left turn only and high curbing added. Also, right turn in only.

**Member Pettine** asked if they are pursuing a one-way street for Panarites Lane.

**Chairman Fay** stated no, the DPW Superintendent Jeff Pearce, Code Enforcement Officer Mark Mazzucco, Shaun Logue (MRB), Village Engineer Dave Willard, and the Fire Department determined it should stay 2 ways for emergency traffic. Only one way in would not be good.

**Member Begy** said at the May meeting it was said that no delivery trucks were going to go on to Panarites Lane but now they are.

**Sky Horton (ADP)** stated that only if there are cars parked blocking the road, but that they do not expect deliveries while the bowling alley is open.

**John Ott (Indus)** stated that it will only be one truck a week, early morning.

**Member Reiter** asked if there will be a grease dumpster.

**John Ott (Indus)** said no, they do not deep fry anything.

**Member Reiter** asked if there will be a dishwasher.

**John Ott (Indus)** said no, a 3 bay sink

**Chairman Fay** said his only concern is the landscaping which has been revised, the dumpster plan as he does not want vinyl doors. He feels steel piping covered with solid wood and painted, would be far more durable, and not dirty looking. His condition would be that the gates be

changed, have it be a brick enclosure, no vinyl at all.

**Member Reiter** asked if the board is ok with left turn only and right turn into parking lot. The original discussion had exit only from parking lot with only left turn permitted, no entrance from Panarites. The exit lane was widened to allow for the once per week delivery truck to exit without running over the curb. The APD Engineering Architecture then said with the widened lane now allows for a right turn entrance into the parking lot. This is a change from what Jeff originally promised the ZBA, Jim and Kim Francis (neighbors across Panarites). It was also discussed about making Panarites a one-way street heading north, since the exit was supposed to be an exit only and left turn only. The one way on Panarites was not approved and then the right turn into the parking lot was added. I am against making this an entrance from Panarites into the parking lot.

**Member Pettine** said she is going to have to rely on people following the stop sign to pull onto Panarites Lane if a car is coming from Tops.

**APPROVAL RESOLUTION  
ZONING BOARD OF APPEALS  
VILLAGE OF HILTON**

**Re: 144 South Avenue, Hilton, New York  
Tax Parcel # 032.10-1-1.11**

**Applicant: Dunkin' – NicAl Management  
Final Site Plan & Conditional Use Permit Approval**

**FINAL SITE PLAN & CONDITIONAL USE PERMIT RESOLUTION**

**WHEREAS**, the Village of Hilton Zoning Board of Appeals (hereinafter referred to as “Zoning Board”) is considering a Final Site Plan and Conditional Use Permit approval for the construction of a 1,500± square foot building addition to the existing commercial building, an associated drive-thru, including various parking lot improvements, with a new ingress/egress access point onto Panarites Lane, located at 144 South Avenue and within the Commercial (C) zoning district and detailed on the Final Site Plans, last revised May 23, 2025 and all other relevant information submitted as of May 27, 2025 (the current application); and

**WHEREAS**, as part of the approval of the Preliminary Site Plan Approval, and in compliance with NYS Village Law and the regulations of the State Environmental Quality Review Act (SEQR), the Zoning Board declared this to be an Unlisted Action, and a Determination of Non-Significance was adopted May 27, 2025; and

**WHEREAS**, in compliance with NYS Village Law, the Zoning Board held a public hearing on the Preliminary and Final Site Plan application on April 8, 2025, and May 13, 2025; and

**WHEREAS**, all requested area variances were approved by the ZBA on May 27, 2025; and

**WHEREAS**, the Zoning Board has compiled the attached list of findings to be kept on file with the application in the Village Clerk’s Office, and

**NOW, THEREFORE, BE IT RESOLVED**, the Zoning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. The Final Site Plan Approval with conditions as specified is valid for a period of 60 months from today unless signed by the Zoning Board Chairman.
2. The Applicant shall satisfactorily complete all conditions of Amended Preliminary and Final Site Plan Approval and obtain all signatures required on said plans prior to the Zoning Board Chairman's signature being affixed to the Final Site Plans.
3. The comments within the Village Engineer's letter dated May 20, 2025 are to be addressed to the satisfaction of the Village Engineer prior to signing by the Zoning Board Chairman.
4. All comments on behalf of the Village of Hilton's Public Works Superintendent are to be addressed to the satisfaction of the Public Works Superintendent prior to signing by the Zoning Board Chairman.
5. The Amended Final Site Plans are to be signed by the Zoning Board Chairman and filed prior to signatures being affixed to the Final Site Plans.
6. No building permits are to be issued until Final Site Plan Approval is granted and signatures are affixed to the final plans.
7. The Trash Enclosure Elevation detail is to be updated to eliminate 'PVC' as the material that will be utilized as the gate for the Masonry Brick Dumpster Enclosure. The Village Engineer to review and approve the final gate design, including construction materials and color scheme.
8. All variances granted by the Zoning Board are to be detailed on the final plans, including any Conditions of Approval.

The within Resolution was moved by Zoning Board of Appeals Chairperson Kim Fay who made the motion, seconded by Board member Joe Ruta and voted upon by the Board members, Carried 4-1, Member Reiter opposed.

**DATES:**

Next Scheduled Meeting	Tuesday, June 10th, 2025
Public Agenda Deadline	Tuesday, May 20th, 2025

There being no further business, **Chairman Fay** made the motion to adjourn the meeting at 7:04 p.m.

Respectfully Submitted,  
Aimee Doser, Recording Secretary