

BOARD OF ZONING APPEALS

Meeting Date: October 13, 2022

Meeting Time: 7:00pm

Members Present: Mr. Rex Fisher, Chair Atty. J. Michael Thompson
Mr. Mark Thompson Mr. Sam Moffie

Ms. Becky Rudzik

Also present: Mr. Timothy Clavin, Village Zoning Inspector

Appellants: Michael Savko, 114 E. McKinley Way

Bergen Gioroni for Oh Donut 101 S. Main St.

Minutes: The meeting was called to order at 7:00 PM. A quorum was present. Becky was nominated as a stand in secretary again.

First up, Mike Savko to request a second drive for ease of pulling in and out of the house. The driveway would be gravel with a concrete entrance like the existing drive and then the drives would connect on a concrete pad (to be poured) behind the house, thus forming a horseshoe shape around the house.

Mike has a home office for his construction business and a large trailer which he uses for both personal go cart moving and construction materials.

He cited 445 S. Main St. as an example of a house that has two drives going onto a main road. Rex countered that the 445 S. Main sits on two parcels, and that each parcel has its own drive.

Rex felt strongly that having two driveways on one parcel would change the appearance of the neighborhood.

Several neighbors got up and spoke:

RoseAnne Rosselli, 115 E. McKinley Way (directly across 224). RoseAnne was worried about the storage construction vehicles and equipment. Also, about what happens if the Savko family moves out but continues to use house as office. Mike clarified that he does not actually do construction...he is a contractor coordinator, and that only 3 vehicles (his truck, his wife's SUV, and his trailer) would ever be permanently parked in the drive. Tim Claven clarified that there would be no home office without occupancy because of house is zoned R1 and that if that situation should arise, we would end up in court.

Lisa Shaw, 2458 Center Road (house next to RoseAnne). Lisa said that the traffic on 224 was horrible and that for safety's sake she was in favor of a second drive.

Allie Englehart, 116 E. McKinley (right next door) had concerns about how close the driveway would be to her house and how safe it would be for her kids. Suggested he use a turn around in the back of the house. Mike stated that from his research, he had plenty of room and that the proposed drive would hug his house, not hers. Becky pointed out that both families were fairly new to their homes and that no survey had been done and there was some discrepancy as to where the property line was.

Connie Forand-Sarty, 107 E. Mckinley shared similar concerns to RoseAnne. Mike countered again that there would only be the 3 vehicles in his driveway and that no construction materials would be stored there.

The variance was put to a vote and failed 3-2. Mike Thompson and Becky Rudzik voted for, everyone else was against.

Mark suggested that Mike consider asking for a variance for a larger concrete pad in the back to accommodate turn arounds, and Mike suggested we let him think things over and come back before the board on a later date at no additional expense.

Next up, Bergen Giordoni and Nick Chretien (her son in law) for Oh Donuts seeking a variance to allow outdoor seating in the parking lot of the plaza in which they hold a lease. The owner of said plaza/building, Joe Zedrillich, was not present. Bergen had a letter from him giving his full support for the outdoor seating arrangement and Bergen also stated that patio was referenced in her lease.

It should be noted that the patio in question is already set up and in use.

Several of the other business owners leasing in the plaza/buiding had comments:

Michelle Baird, of the Flower Loft noted that the building is already short parking spaces. It has 34 and should have closer to 72. The OH donuts sign takes up 2 parking spaces. (Her statement, but maybe not accurate. Tim Claven later clarified that while it is in the parking lot, there are no white lines indicating parking spots in that location). And now the patio takes up two more spots and blocks the entrance from Water St. She said that during prom her customers were calling because they could not find parking spaces in the plaza.

Nick's rebuttal said that the previous business used more than two spaces during business hours and that the outdoor seating was in line with Poland's strategic plan.

Tammy Danks, also of the Flower Loft, was very concerned about the safety of patrons using the patio as there were little old ladies pulling in and out of the parking lot to go to the hair salon. Everyone knows that little old ladies are deadly behind the wheel of a car.

Mark concurred that this was a valid point and suggested that in order to make the patio work, you would need to close the entrance/egress from Water Street and install a more permanent barrier than a flowerpot.

Mark also suggested using the sidewalks or reshaping the patio.

There was further discussion of moving things around and trying to make the patio safer without using up more parking spots...and things got a little rowdy in the public gallery and Michael yelled at everybody, and then promptly apologized for yelling.

Rex said that the patio, indeed that whole section of the parking lot was within the riparian setback (I am not sure riparian is the right word here...nor am I sure that it's the work Rex used, but I could not read my own scribble...is riparian only used for water?) of 224 and that we could not make any changes there legally.


The consensus was that the only way to move forward was for the owner to allow the permanent closure of the Water St. entrance/egress and for that he would have to appear before the board.

Becky made a motion to table discussions until such time that Joe was present, and the vote passed unanimously. Tabling the discussion means that Oh Donut will not be assessed another fee to come back before the board. The board asked that they do so sooner rather than later as we wanted to be on the same page come spring time.

The Flower Loft ladies asked how long Oh Donut would leave the patio up...and more bickering ensued. The board decided this was solely up to the zoning administrator (Sorry Tim).

We adjourned the meeting at 8:46 pm.

MINUTES APPROVED AS COMPLETE AND ACCURATE:



Mr. Rex Fisher, Chair

Rob Burken Acting Chair

Minutes approved:

Feb 16, 2023, ~~2022~~

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