

MARCH 8, 2012 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held Thursday evening March 8, 2012 at 7:35 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Mary Beth Murphy
	Councilman	Harold R. Bolton
	Councilman	Richard G. Clinchy
	Councilman	Frederick J. Morrissey
	Councilman	Thomas A. Garrity, Jr.

ABSENT:

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a public hearing with regard to a proposed Local Law to amend Chapter 158 entitled Vehicles & Traffic of the Town of Somers to include Stop and Yield Intersections for Pines Bridge Road and Laura Lane.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Journal News on February 28, 2012 and posted on the Town Clerk's bulletin board the same day.

The Supervisor explained that the proposal was for a third stop sign at that intersection. She said that they received a request from a resident and it had been reviewed by the Highway Superintendent, Engineering Department and the Police Chief. She said that they all recommended the stop sign be installed at the location.

The Supervisor declared the hearing opened and asked for comments from the public.

There being no one to be heard on motion by Councilman Garrity, seconded by Councilman Clinchy, the public hearing was declared closed at 7:36 PM.

Town Clerk

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ROLL CALL:

PRESENT: Supervisor Mary Beth Murphy
 Councilman Harold R. Bolton
 Councilman Richard G. Clinchy
 Councilman Frederick J. Morrissey
 Councilman Thomas A. Garrity, Jr.

ABSENT:

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a public hearing with regard to an unsafe and dangerous structure located at 133 Mahopac Avenue, Somers known as Tax ID 26.08-1-11. She explained that there was a recommendation from the Assistant Building Inspector that the building be designated an unsafe building. She said that it required that notice be given to the property owner that they needed to either repair or remove the structure. The Supervisor said that it was her understanding that prior notice was given to the property owner with regard to the public hearing.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Journal News on February 28, 2012 and posted on the Town Clerk's bulletin board the same day. She said that Notice and Order was mailed and posted on the building on February 17, 2012.

The Supervisor declared the hearing opened and asked for comments from the public.

Mr. Dominick Lieto, the property owner, explained that he had been ill and hospitalized for a month. He said that he would secure everything and get back on track. Councilman Garrity asked where the building was located. Mr. Lieto said that it was the building next to the Granite Springs Post Office. Councilman Garrity stated that the building had been falling down for awhile. Mr. Lieto explained that the building was hit by a snowplow and he intended to fix the wall and the roof.

The Supervisor said that they could adjourn the hearing for one month. She recommended that Mr. Lieto meet with the Building Inspector as soon as possible about what specifically needed to be done. Mr. Lieto said that he would make the building safe. The Supervisor said that it may be best to speak with the Assistant Building Inspector who had been involved with the property. She said that if they came up with a plan and he implemented that plan it would be what the Board was looking for.

Councilman Clinchy asked Mr. Lieto how long he thought it would take for him to make the building into a safe structure. Mr. Lieto said weather permitting it would be more than a month. Councilman Clinchy asked if he would be doing the work himself or would he be contracting someone to do the work. Mr. Lieto said that he would be doing the work and friends would be helping him. He said that he was going to secure the building, put boarding around it so that one could get in and post signs.

The Supervisor said he should come back next month with a specific plan in place. She said that she would prefer a written plan that they could review. Councilman Bolton said that he needed to secure the building so that it was not dangerous. Mr. Lieto said that he would do that; he would place a fence around the property.

Councilman Garrity said that there was a truck on that property and asked if that was a working vehicle. Mr. Lieto said that it was not working although he was allowed to have one unregistered vehicle on his property.

Mr. Lieto said that it was a commercial property. The Supervisor said that she did not believe that the property was zoned commercial. Mr. Lieto said that when he bought the property it was

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zoned General Business. The Supervisor asked if there was currently a business operating out of the building. Mr. Lieto said that he uses the building for storage. The Supervisor said that she would look into the zoning of that property.

Councilman Clinchy said that he needed to do whatever needed to be done; he was going to see the Building Inspector, get a plan and come back to the Board in a month with a plan. Mr. Lieto said that he was going to make the property safe. Councilman Clinchy asked if he understood that it was when the Building Inspector said that it was safe. Mr. Lieto said that he did not have a problem with that.

The Supervisor asked if he also understood that if the Board did not believe that he was progressing in a manner to secure the building appropriately the process that they were engaging in was such that if he did not take care of the building in a manner that the Town deemed appropriate that Town would do it itself.

There being no one else to be heard on motion by Supervisor Murphy, seconded by Councilman Garrity, the public hearing was adjourned at 7:45 PM to the April 12, 2012 meeting.

Town Clerk