ZONING BOARD OF APPEALS

Town of Salina
November 2, 2026

A regular meeting of the Zoning Board of Appeals was held on Monday, November 2, 2026 at the Salina Town Hall, 201 School Road, and Liverpool at 6:30 P.M. Those present were:

Chairman	Mike Gunther
Member	Richard Hunter
Member	Jeannie Ventre
Member	Michael Brigandi
Member	Bill McGillivray [excused]
Member	Tom Vona
Attorney	Kevin Favreau, Esq.
Secretary	Nancy O'Neil
Engineer	Charles Prior
Codes Director	Peter Mitchell

Mr. Gunther welcomed those in attendance and explained the purpose of the meeting – to hear three area variances and three site plan reviews before the Zoning Board of Appeals.

Mr. Gunther announced Mr. Kevin Favreau as the representing attorney and Mr. Charles Prior as the representing engineer for tonight's cases.

Mr. Gunther announces that there are two matters before the Board that will require SEQRA determination but cannot be resolved until the County provides a response. Mr. Favreau notes that the Board cannot declare itself the Lead Agency for these projects because the aspects of the County's response may directly impact the SEQR determination.

APPROVAL OF MINUTES

Mr. Gunther entertained a motion to approve the minutes of October 19, 2026. Mr. Hunter made a motion, and the motion was seconded by Mr. Vona. It was unanimously carried by the remaining board members. Ms. Ventre abstained.

NEW BUSINESS < AREA VARIANCE>

089.-01-04.1 **CHRISTOPHER STASNY, 703 OLD LIVERPOOL RD.**
ZONED C-2, OL-1, 2ND WARD

CASE# ZB-26-45 **Applicant is seeking relief from the Town Zoning Ordinance(s) 235-20 C. (3) & 235-31 B. (14) to operate an auto repair facility in an existing location with a driveway that is less than 25 feet from the side and rear lot lines and has 55 parking spaces.**

The Director has determined the application will not comply with the Zoning Ordinance requirement(s), because the proposed facility would be in an existing location with a driveway that is sited between 7 feet to 15 feet off the side lot line and is between 11 and 19 feet from the rear property line where a distance of 25 feet is required and has 55 parking spaces where 69 spaces are required. The Director recommends the board act on the application based on the information submitted at the hearing and the information submitted with the application. The Director also requests that the following conditions be attached, should the application be approved: that the building permit must be approved within 30 days of the date of the variance approval. That all work must be completed within the time that the permit is granted for. Unless these conditions are complied with the variance shall expire. A survey plan has been included detailing out where the facility will be located, a disclosure affidavit has been notarized and signed, a survey affidavit and a letter of mailing to adjacent tax map properties. Area variance for commercial use in a commercial use district and would be classified as an unlisted action under SEQR Regulations.

Mr. Christopher Stastny of Griffiths Engineering representing the applicant, of 703 Old Liverpool Rd. presents to the Board; Mr. Stastny reads the 5 criteria: 1) no other feasible means. The two driveways are lined with the intersection and cannot be moved. The site currently has 57 parking spaces, installing a new overhead door will require the removal of 2 parking spaces, at a total of 55 spaces. 2) no, will not cause an undesirable change to the neighborhood or detriment to nearby neighborhood properties. Removing 2 parking spaces down to 55 spaces is still greater than the number required by the proposed auto service center. 3) The variance request is not substantial, there is no change to the existing southern driveway. The OL1 overlay district requires an offset of 25 feet from the side and rear property line to the driveway. The distance to the southern driveway to the

side property lines varies from 15 feet at the front property line to 7 feet near the rear of the site and varies from 11 feet to 19 feet at the rear of the property line. 4) no, it will not have an adverse physical or environmental effect on the neighborhood. There is no proposed change to the existing pillar and driveway. The 55 parking spaces is much greater than the number required by the proposed all service center. 5) the alleged difficulty is not self-created; variance is requested to provide relief for the existing southern driveway from the side property and rear property lines for the new use of an auto service center, the current site has 57 parking spaces with the installation of a new overhead door, which require the removal of the two spaces leaving 55 and the parcel does not have adequate space to provide additional parking.

Mr. Stastny clarified that no significant issues are expected from the change in us, or from any increases in traffic or site usage due to parking capacity compared to similar sites. He also states that most other sites have substantially less than 55 spaces available on-site under the proposed changes.

NEW BUSINESS <SITE PLAN>

089.-01-04.1 CHRISTOPHER STASNY, 703 OLD LIVERPOOL RD.
ZONED C-2, OL-1, 2ND WARD
CASE# SITE-26-16 Applicant is seeking a special permit and site plan review for an automotive repair facility.

Mr. Gunther reminds the applicant that the Board cannot move forward until they receive a response from the County.

Mr. Gunther asks the Board if they have any further questions.

Mr. Vona states that he must recuse himself from this project.

Mr. Brigandi questions if there will be any overnight parking at the repair facility. Mr. Ray Bartoletti clarifies customer vehicles will be serviced daily with no significant overnight parking expected outside. He does state that some customers may mat drop off vehicles at night for next-day service.

Mr. Gunther questions if the applicant will need a sign variance. The applicant states that they will need one sign across the front of the building and one pylon sign.

Mr. Mitchell suggests that if the total on-site signage stays under what was previously available to the Family Dollar, the requirements should be adequately covered.

Mr. Gunther asks the Board if they have any further questions. None noted.

Mr. Favreau suggests closing the public hearing and to hold the matter over until the County referral is received. He noted that the County has a 32-day window for their response and suggested checking with the director of planning and development to ensure the referral is received in time for the next meeting.

No comment from Mr. Prior.

Mr. Mitchell questions if the applicant has a provision to store junk tires. Mr. Bartoletti confirms that all junk tires will be stored inside daily. He states that they will have a trailer on site that will be locked.

Mr. Mitchell confirms that the previous tenant did obtain a variance for signage. They were granted a variance for signage significantly over what is allowed. Mr. Bartoletti states that their signage will be much less than the previous tenant.

Mr. Gunther closes the Public Hearing.

Case will be held open until the Board receives the referral from the County.

NEW BUSINESS <AREA VARIANCE>

085.-12-06.1 JAMES BALLANTYNE, 110 LUTHER AVE.
ZONED I-1, 4TH WARD
CASE# ZB-26-46 Applicant is seeking relief from Town Zoning Ordinance(s) 235-19 D. (1); (3); (4); (5); (6) to remove a portion of the existing building to create a loading dock within the same footprint and make a portion of the building legal with regard to setbacks, lot area, and lot coverage.

The Director has determined the application will not comply with the Zoning Ordinance requirement(s), because the existing building and proposed loading dock have a 19 foot front yard

setback where 50 feet is required, have a zero foot side yard setback where 20 feet is required, have a zero foot rear yard setback where 20 feet is required, have 78% lot coverage where a maximum of 50% is allowed, and a lot area of 9,900 sq. ft. where a minimum of 10,000 sq. ft. is required. The Director recommends the board act on the application based on the information submitted at the hearing and the information submitted with the application. The Director also requests that the following conditions be attached, should the application be approved: that the building permit must be approved within 30 days of the date of the variance approval. That all work must be completed within the time that the permit is granted for. Unless these conditions are complied with the variance shall expire. A survey plan has been included detailing out where the loading dock will be located, a disclosure affidavit has been notarized and signed, completed short EAS, a survey affidavit and a letter of mailing to adjacent tax map properties. That rain gutters be installed to prevent storm water from discharging onto neighboring properties.

Mr. James Ballantyne of Napierala Consulting representing Green Mountain Electric Supply presents to the Board: 1) no other feasible means. The variance benefit would not be achieved by other feasible means as the building is exiting. For lot coverage it cannot be achieved without demolition of the existing building on the parcel. For the lot area variance, benefit cannot be achieved without changing the existing lot line. 2) For front, side, and rear yard variances the existing character of the neighborhood is industrial in nature. Proposed variance pertains to an existing non-conforming building and would not change the character of the nearby properties. 3) The variance request is not substantial, as it pertains to the existing structure's nonconformance. For the side yard, they will be demolishing the existing building and obstructing the recessed loading document spot. The requested variance is not substantial as it pertains to the existing structure's nonconformance. The proposed project will increase the side yard setback from zero feet existing to approximately 16.1 feet in proposed conditions. For lot coverage variance the requested variance is not substantial as it pertains to the existing structure's nonconformance, proposed project will further reduce existing lot coverage from approximately 78% to 67%, 50% maximum limit by code. And for lot area variance, the requested variance is not substantial as it pertains to the lots exiting nonconformance. 4) no, it will not have an adverse physical or environmental effect on the neighborhood. For the side yard variances, the variance will not have adverse physical or environmental effects on the nearby property. Construction of the benefit will be conducted in accordance with the site's established controls and work plans. 5) the alleged difficulty is not self-created; it pertains to and existing building that predates the project.

Mr. Ballantyne states that they wanted to focus on the area where the recess loading dock is located and would like to return in front of the board in the future to bring the entirely of the building into conformance.

Mr. Brigandi questions if the roofing for the loading dock will be enclosed or if it will be open air. Mr. Ballantyne confirms that it will be open air.

No comment from Mr. Prior.

Mr. Favreau states that this case is awaiting response from the County and that a 30-day waiting period is required before further action can be taken.

No comment from Mr. Mitchell.

Mr. Gunther asked if anyone in the audience wanted to speak for or against this project. None Noted.

Mr. Strutz of 104 Saltmakers Rd. asks Mr. Ballantyne's to review the site plan and which building will be renovated in the future project.

Mr. Gunther closed the Public Hearing.

This case will be held open until the Board receives the referral from the County.

OLD BUSINESS <SITE PLAN>

085.-12-06.1 JAMES BALLANTYNE, 110 LUTHER AVE.
ZONED I-1, 4TH WARD
CASE# SITE-26-20 Applicant is seeking site plan review for new loading dock.

Case will be held open until the Board receives the referral from the County.

NEW BUSINESS <AREA VARIANCE>

062.-14-15.0 TINA SCAIA, 110 PLYMOUTH AVE.
ZONED R-1A, 3RD WARD
CASE# ZB-26-48 Applicant is seeking relief from Town Zoning Ordinance(s) 235-33 A. (3) to install a second shed on the premises.

The Director has determined the application will not comply with the Zoning Ordinance requirement(s), because the proposed shed would be the second shed on the premises where only one such shed is allowed. The Director recommends the board act on the application based on the information submitted at the hearing and the information submitted with the application. The Director also requests that the following conditions be attached, should the application be approved: that the building permit must be approved within 30 days of the date of the variance approval. That all work must be completed within the time that the permit is granted for. Unless these conditions are complied with the variance shall expire. A survey plan has been included detailing out where the second shed will be located, a disclosure affidavit has been notarized and signed, a survey affidavit and a letter of mailing to adjacent tax map properties. Type 2 action.

Ms. Tina Scaia explains that the shed is intended to store lawnmowers and equipment for her 19 yr old son's new landscaping company. She states that the shed is necessary to prevent equipment from being scattered throughout the yard.

Ms. Tina Scaia 110 Plymouth Ave. presents to the 5 criteria to the Board. 1) no other feasible means. No other available land to purchase. She has rented storage space, but it has gotten too expensive to store. 2) no, will not cause an undesirable change to the neighborhood or detriment to nearby neighborhood properties. 3) The variance request is not substantial; the shed is to store lawn equipment. 4) no, it will not have an adverse physical or environmental effect on the neighborhood. 5) The alleged difficulty is self-created. She needs the shed to keep her belongings safe.

Mr. Gunther questions how long the applicant has owned the property. Ms. Scaia states that she has been there for 8 years. They discuss the intent and nature of the shed on the property to determine its usage. Mr. Gunther expresses his concern about the commercial activity occurring on the site and whether the applicant's son is operating a business from the property. Ms. Scaia clarifies that her son uses the shed to store equipment. She adds that if her son's business grows significantly he will likely transition to his own location.

Mr. Brigandi confirms that the shed is 8'x 8'. He adds that the shed must be at least 5 feet from the property line. Ms. Scaia understands the 5-foot setback requirements.

No comments from Mr. Favreau.

Mr. Mitchell cautions the applicant that a home-based business must be kept at a minimum level so that it does not become a nuisance to the surrounding neighborhood as it is not technically a permitted use residential area.

Mr. Gunther asks the Board if they have any further questions. None noted.

Mr. Gunther confirms that the requested variance is intended solely for the shed and not for the business operations and that the purpose of the structure is to serve as a storage area.

Mr. Gunther closed the Public Hearing.

Mr. Gunther summarized ZB-26-48 Ms. Tina Scaia, of 110 Plymouth Ave. 062.-14-15.0 Applicant is seeking relief from Town Zoning Ordinance(s) 235-33 A. (3) to install a second shed on the premises. Based on the testimony given and the exhibits offered it is hereby resolved that the applicant has demonstrated that the area variance sought will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. It is the only method of obtaining the benefits sought, additional storage. It is not substantial to the neighborhood. It will not have an adverse effect or impact on the environmental conditions of the neighborhood or district, it is self-created. I therefore move based on the forgoing that the variance applied for be granted with certain conditions and the granting of the above variance are conditioned upon the following: 1) all improvements are to be constructed and to located in accordance with the exhibits submitted herewith in support of the application 2) that the permit must be obtained within 30 days of the date of the variance approval 3) that all work must be completed within the time that the permit is granted for. This variance is not to interpreted as a permit to run a business out of this property, as that is not an allowed use. 4) Unless these conditions are complied with, the variance shall expire.

Mr. Gunther made the motion, and Mr. Vona seconded the motion. Mr. Brigandi polled the board members.

Ms. Ventre	Yes
Mr. Brigandi	Yes
Mr. Hunter	Yes
Mr. Vona	Yes

Mr. Gunther Yes
Mr. Gunther stated it is adopted and passed.

OLD BUSINESS <SITE PLAN>

074.-03-01.0 GREGORY SGROMO, 6701 BUCKLEY RD.
ZONED RROD, 4TH WARD
CASE# SITE-26-15 Applicant is seeking site plan review for a hotel to apartment conversion project.

Applicant alerted the Planning and Development office that they had nothing further to explain for this project. This case will be held open.

Mr. Gunther asks the Board if they have any further questions. None noted.

ADJOURNMENT

Mr. Gunther entertained a motion to close the Zoning Board of Appeals at 7:21 pm. Mr. Hunter made the motion; it was seconded by Mr. Vona. The motion was unanimously carried. The meeting was adjourned.

Prepared By: _____
Nancy O'Neil, Secretary