



# TOWN OF VERNON

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OFFICE OF  
ZONING ADMINISTRATION

**APPROVED** Minutes of September 18, 2019 Zoning Board of Appeals Public Hearing

Attendees: Regular Members: Howard Steinberg, Jennifer Roy,  
Carmen Melaragno  
Alternate Members: Claire Crane, Sherrin Roch  
Absent Members: Robert Mullan

Also present: Andy Marchese, Zoning Enforcement Officer/Staff Liaison  
Kathleen Minor, Recording Secretary

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VERNON TOWN CLERK  
20 JAN 22 AM 10:33

Jennifer Roy, Secretary and Acting Chairperson called the meeting to order at 6:35 pm and read the opening statement.

All Members of the Board and Staff introduced themselves.

Andy Marchese stated for the record that both Alternate members were seated for the absent and vacant Regular members.

## **#1 Discussion and Vote on a new Chairperson**

This item was tabled until the next scheduled meeting.

## **#2 Discussion and Vote on Application ZBA-2019-03**

Jennifer Roy, Secretary and Acting Chairperson read the Application into the record:

**Application # ZBA-2019-03 Ken Kaplan c/o Dorian Famiglietti Esq., Attorney for Applicant, seeking a Variance from Section 17.1.2 Alcohol Beverages - Separating distances shall be measured from the main public access door of an establishment in a straight line - 1,000 feet required for seller/server to public institution to allow a separating distance of 985 feet between server of alcohol and Maple Street School (Variance of 15 feet), on the property located at 200 West Main Street, in the Historic District – Residential Commercial Zone.**

The Legal Notice was published in the Journal Inquirer on September 4, 2019 and September 11, 2019

Attorney Dorian R. Famiglietti, of Kahan, Kerensky and Capossela, LLP spoke on behalf of the Application.

Applicant, Ken Kaplan, arrived at the meeting at 6:46 pm and spoke on behalf of the Application.

The hardship was discussed as well as all other alternatives to meet the zoning requirements relating to changing the location to the entrance. The Applicant will move forward with all other required approvals if the Variance is granted.

Public Hearing was closed at 7:11 pm.

Discussion ensued.

Carmen Melaragno motioned to approve Application # ZBA-2019-03 for Ken Kaplan c/o Dorian Famiglietti, Esq., Attorney for Applicant, seeing a Variance from Section 17.1.2 Alcoholic Beverages – Separating distances shall be measured from the main public access door of an establishment in a straight line – 1,000 feet required for seller/server to public institution to allow a separating distance of 985 feet between server of alcohol and Maple Street School, a Variance of 15 feet on the property located at 200 West Main Street in the Historical District – Residential Commercial Zone. Howard Steinberg seconded and the motion passed unanimously with all five members voting members (Jennifer Roy, Carmen Melaragno, Howard Steinberg, Claire Crane, Sherrin Roch) in favor. Variance was granted.

The determined hardship is that the structure on the property is listed on both the national and state Register of Historic Places which impedes the ability to relocate the front door to the building to another location.

**#3 Review Draft Minutes of August 28, 2019 ZBA Meeting:**

Carmen Melaragno motioned to approve the minutes of the August 28, 2019 meeting as presented. Howard Steinburg seconded and the motion carried unanimously.

**#4 Other business:**

Nothing presented.

**#5 Adjournment:**

Carmen Melaragno motioned to adjourn the meeting. Howard Steinburg seconded and the meeting was adjourned at 7:15pm.

Respectfully Submitted,



Kathleen Minor  
Recording Secretary