

**TOWN OF FENTON
ZONING BOARD OF APPEALS**

IN THE MATTER OF NG
ADVANTAGE, LLC

DECISION

65 – 69 & 93 WEST SERVICE ROAD TOWN OF FENTON
BROOME COUNTY, NEW YORK

Members Present: Dale Gregory, Chairman
Timothy Brown, Mikel Lidell, Michael Ward

Members Absent: Cynthia Cook

FACTS

A hearing by the Town of Fenton Zoning Board of Appeals was held in the Town of Fenton Town Hall on Wednesday, March 1, 2017 to consider issuance of an Area Variance requested by NG Advantage, LLC, hereinafter “NG”. The Town of Fenton Planning Board had suggested that a Variance would be required to satisfy the restriction cited within §150-10 D (6) d that would obligate a five foot rear set-back. The distance has effectively been achieved by securing a lease with Michael J. Boland yet the parcel limitations create the need for an Area Variance. Considerations involved separation from neighboring park areas and traffic flow.

Notice of a Public Hearing was published in the Press & Sun Bulletin.

James Tofte of Griffiths Engineering, LLC provided revised plans and highlighted various elements of the proposed project. Steven Palmer of NG Advantage reiterated their commitment to ensuring that the compressed gas filling terminal would be safe and compatible with the area. The parcel is situated in the Limited Industrial area and in proximity to the Millennium pipeline.

No adverse neighborhood concerns were submitted or voiced.

DECISION

Pursuant to Town Code §150-45, The Town of Fenton Zoning Board of Appeals hereby approves the Area Variance with noted stipulations.The Area Variance is approved in accordance with drawings/plans as submitted to the Planning Board conditional through the life of the lease with Boland. The approval is also subject to any further conditions imposed by a 239 l & m and BC Planning or the Town Planning Board.

Members in Favor: Timothy Brown
Mikel Lidell Michael Ward
Dale Gregory

Dated: March 7, 2017