

MINUTES – TOWN OF ALLEGANY
ZONING BOARD of APPEALS MTG
Wednesday March 25, 2026, at 5pm at The Town Hall

Approved

PRESENT:

Kathy Martin (Chair)
Jeff Baxter
John Jones
Carol Ozzella

ABSENT:

Peter Hellier

ALSO PRESENT:

Dan Brown (CEO); Michele Lovern (Building & Zoning Clerk); Eric Finkel (Attorney for Kinley)
Gary Segrue (Applicant); Ryan Gellman (Attorney for Applicant); Peter Sorgi (Town Attorney) by ZOOM

OPEN MEETING: @ 5:00pm

Salute to the Flag

OLD BUSSINESS:

Reverse decision previously made at the July 14, 2025, ZBA Meeting regarding the Use Variance Renewal for Gary Segrue & Diamond builders to place two 8-unit apartment complexes at the vacant lot on Cranberry Road, SBL # 94.003-1-15.1:

K. Martin – Opened meeting with a recap of the use variance renewal for G. Segrue & Diamond builders to place two 8-unit apartment complexes at the vacant lot on Cranberry Rd. & that the ZBA had denied the renewal back on July 14, 2025 which went before Judge Parker who ruled that “the ZBA’s denial of extension was arbitrary and capricious because denial was not due to the criteria set forth in zoning code: when the applicant is able to demonstrate a legitimate need to delay the start of construction or operation, such as inclement weather, delays in financing, or similar factors. The Judge stated the Applicant gave a good reason for delay.” The Judge annulled the denial that ZBA did on July 14, 2025, having the ZBA reverse their decision with the renewal of the Use Variance ending on July 14, 2026.

*Motion to extend the Use Variance for two 8-unit apartment complexes to July 14, 2026,
by K. Martin; 2nd by J. Baxter*

J. Baxter – Y; J. Jones – Y; K. Martin – Y; C. Ozzella – Y; CARRIED

FROM THE FLOOR:

K. Martin will be emailing the board members short term rental agreements from other municipalities to review for help in having one for the Town of Allegany.

MINUTES – TOWN OF ALLEGANY
ZONING BOARD of APPEALS MTG
Wednesday March 25, 2026, at 5pm at The Town Hall

Approved

ADJORN MEETING: @ 5:45pm

Motion by: J. Jones; 2nd by: C. Ozzella

J. Baxter – Y; J. Jones – Y; K. Martin – Y; C. Ozzella – Y; CARRIED

NEXT MEETINGS: @ 5:00pm

Apr 22; May 27; Jun 24; Jul 22; Aug 26; Sep 23; Oct 28; Nov 25; Dec 23

Respectfully Submitted By:
Michele Lovern
Building and Zoning Clerk