

MINUTES OF THE ZONING BOARD May 2, 2013

Members Present: Dan O'Shea, Al Socha, Amy Bertini, Bob Lieber and Nancy Dalley. Also present, Dave Law from CNY Power Sports

The meeting was called to order at 7:30 PM. Mr. Law is applying for a use variance to install new billboards on existing frames. Mr. Law spoke to the Board and noted the location of the existing billboards (not currently in use) is on the West side of Route 11, approximately halfway between Preble Road and Currie Road. Mr. Law indicated he purchased the land at a tax sale about one month ago. He stated the existing structure will remain. The site is overgrown and the wood on the boards is not good. The last owner lost the land to back taxes. The billboards are standard size – 12 feet tall by 25 feet long. He plans to take the trees and shrubs out 10 feet behind the signs and will plant nice trees behind it, and generally improve the appearance at the site. The application will be governed by Section 600 of the Zoning Ordinance, specifically Section 601 and Section 645.

Discussion was had by Board members as to whether this application should properly be considered both a use variance and an area variance. Amy Bertini believes that this is not considered a current non-conforming use and is not grandfathered as the billboards have not been in use for a long period of time. The Board discussed seeking legal guidance from Town Attorney Donald Armstrong and will proceed to refer to County Planning and to schedule a Public Hearing in June. The Board explained to Mr. Law the next step would be to hold a Public Hearing, obtain input from County Planning and legal counsel, and to do a SEQR and short form EIS.

Motion made by Al Socha, seconded by Bob Lieber, to obtain clarification from the code enforcement officer and legal counsel as to this is an area variance, a use variance, or both, all in favor, the motion carried.

Motion made by Bob Lieber, seconded by Nancy Dalley to hold a public hearing on June 6th, 2013 at 7:30 PM on the application of Dave Law and CNY Power Sports, all in favor, the motion carried.

Motion made by Al Socha, seconded by Amy Bertini to refer the application to County Planning, all in favor, the motion carried.

Motion to approve the minutes of the February 7, 2013 meeting, made by Bob Lieber, seconded by Al Socha, all in favor the minutes were approved.

The meeting adjourned at 8:30 PM.

Respectfully submitted,

Mary Anne McCloskey, Secretary.