

**Minutes
Zoning Board of Appeals
October 9, 2014**

Board Members Present: Donne Lynn Winslow, James Cooper, Mark Morey, Harold Moffitt

Board Member Absent: Alan Hall, Sr.

Others Present: Rick and Kathy Galusha, Patti Corlew, Chris Belden (Zoning Administrator)

Meeting Commenced at 7:00 p.m.

Mr. Cooper - This is the October 9, 2014 meeting of the Warrensburg Zoning Board of Appeals. First item of business on the agenda is the roll call. Let the record reflect that Mr. Hall is the only board member not present and seated. The next item of business is approval of the minutes of June 12th. Do any board members have any corrections or additions?

Mr. Morey - I don't have any.

Mrs. Winslow - I don't have any.

Mr. Moffitt - I don't have any.

Mr. Cooper - Me either, unusually. Wow. Maybe it went so long, I... (Tape inaudible). So let the record reflect that the minutes are approved by consensus. The next item of business on the agenda is ZBA 2014-3, matter of Galusha. Mr. Belden, as is the custom of the board, will you explain how this matter comes before us?

Mr. Belden - Sure. The Galusha's are looking to install a projecting sign on the front face of the building. The, the sign they would like to install would be 12 square feet; however, our, our new sign ordinance requires that projecting signs be no larger than five square feet. So for obvious reasons, they are before you today to try to seek an area variance to put the larger sign up.

Mr. Cooper - Now when you calculate signage on the property, isn't there a maximum number of signs allowed?

Mr. Belden - Yes.

Mr. Cooper - And how many signs does this property have in total?

Mr. Belden - How many signs do they have in total?

Mr. Cooper - Yes.

Mr. Belden - I believe they have the one liquor store sign that's an existing projecting sign. We don't include the calculation of the number of permitted signs, window signs, "open" signs, those types of things.

Mr. Cooper - How 'bout the vertical sign?

Mr. Belden - That's the sign I was talking about, the liquor sign.

Mr. Cooper - Is that a projecting?

Mr. Belden - That's a projecting sign.

Mr. Cooper - And the, and the appli... How many projecting signs are they allowed to have?

Mr. Belden - There's no limit to the number of projecting signs.

Mr. Cooper - Okay. Do you have any idea what the square footage of that other sign is?

Mr. Belden - Do you? I would say, I mean...

Mr. Galusha - (Inaudible) to the liquor sign.

Mr. Cooper - The vertical sign.

Mr. Belden - Yeah.

Mr. Galusha - Oh, it's like a foot wide by seven foot high.

Mr. Cooper - Okay. Ya know, I like both you folks. I've worked with you, Kathy, a long, long time ago, and Rick...

Mr. Galusha - Yep.

Mr. Cooper - ...I've known you over the years, but this isn't a popularity contest here. You have to show why your property is, the circumstances of your property is such that the application of the zoning ordinance shouldn't apply to it.

Mr. Galusha - Right.

Mr. Cooper - And no fault on you, Kathy, 'cause you're not a lawyer, but reading through the application, all I keep seeing is that you want a bigger sign and that other people in the neighborhood have bigger signs. Is there more, something more to it than that?

Mrs. Galusha - You can't see the one we have now.

Mr. Cooper - You got one behind the... I don't know, what is it, a flowering pear tree there or something? The one between and is it the Chinese family?

Mrs. Galusha - Hm hm.

Mr. Cooper - You can't see that coming from the south. The only way you can see the sign is if the leaves are off regardless of what size it is. Right?

Mrs. Galusha - Right.

Mr. Cooper - And coming from the north, you've got the big vertical liquor sign, so well, tell me yourself what you think. First I want to, I ought to swear you because that's the obligation. This is only our third application this year, so I get out of practice. Would you raise your right hand please? Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Galusha - I do.

Mr. Cooper - Okay. And Rick, same?

Mr. Galusha - Yes.

Mr. Cooper - Okay. So what more do you have to say than what you've said so far. Anything?

Mr. Galusha - First of all, we got the permit for the one that's hanging there now.

Mr. Cooper - Right.

Mr. Galusha - Which is five square feet and it delaminated, so we gotta replace it. But after we got it up there, I think you can all agree, it looks like a postage stamp, sticking out there, compared to all the rest of the signs up the area and the bracket that was originally there was for a larger sign and it just looks real out of place.

Mr. Cooper - How long have you owned the property?

Mrs. Galusha - Twenty eight years.

Mr. Cooper - And how long has it been since that original sign was down?

Mr. Galusha - That original sign... There used to be another business in there.

Mr. Cooper - Oh on the left-hand side?

Mr. Galusha - On the left-hand side. And a few years ago, we made the store larger and just one store.

Mr. Cooper - So what was the, so that, that other business, did you replace it with the sign of like size when you, when you replaced it with the Ray's Liquor sign?

Mr. Galusha - No. We replaced it with what was approved by the Town.

Mr. Cooper - At that time?

Mr. Galusha - At that time. Which was only (inaudible) couple months ago.

Mr. Belden - April 2nd of this year is when they put up the five square foot sign to meet the standard. Then you laminated...

Mr. Cooper - So the sign that's there complies with our ordinance and it's, I guess five square feet. Is that right?

Mr. Galusha - Right.

Mr. Belden - Yes, but like he said, it's, it's starting to fall apart, so they're looking to replace it, but wishing to do so with a larger sign.

Mr. Galusha - It was partly my fault. When we put this sign up, Chris told me five square feet and I just didn't calculate out five square feet and I told the guy down the road I need a sign five square feet and when he showed up, that's what it was.

Mr. Cooper - Must have looked pretty small, right?

Mr. Galusha - Looked pretty small. And so I says well, we bought it; we live with it, but as luck would have it, it was his fault that it started delaminating and I spoke to Chris about it and Chris says, well, you can go for a variance, and I just think it would look better for the whole town if it kind of fit the hanger that was there.

Mr. Cooper - Let me do it this way, okay. Let me assume that we give this variance so you can increase the size of the sign to 12 square feet, what's to keep somebody from coming in next week and saying well, your sign standard says five square feet but all up and down the street they're bigger and the most recent one is Galusha's that you allowed more than twice the size of what the, the law requires. What do I say to that guy? We've got an ordinance here that says it's supposed to be five square feet. If, if you have, if you keep changing the standards so that everybody gets a little bit bigger one or at least the same size as the last change, you don't have a standard at all. It's certainly not going to be five square feet. So that, that's what I'm hung up on and if you've got some argument you can make...

Mr. Galusha - I under, I understand that, but I, we didn't have another liquor store to complete with us either a few years ago.

Mr. Cooper - You mean like the new one up there at the plaza?

Mr. Galusha - (Inaudible). The one in the plaza.

Mr. Cooper - Yeah. I would, I would be more sympathetic to your position, Rick, if you didn't have the vertical sign which is a prominent sign. It's hard... You can't drive by the property without seeing that liquor store sign. And I don't know what you got on the... There's one on the side of the building that's says last liquor 'til you get to New York City, so hell, you're the one in the business and you're the one that has to make a living there.

Mr. Galusha - Right.

Mr. Cooper - You're the one that has to make the judgment calls about how to spend your money to develop business, but to a non-businessman such as myself, it looks to me like you've got a lot of signage there. It's just not as much as you'd like. So, that's where I'm coming

from. I don't know, Mark usually disagrees with me. Maybe he's got another idea here.

Mr. Morey - I'm waiting to hear everybody's side.

(Laughter).

Mr. Cooper - He's a diplomat.

Mr. Galusha - I guess, I guess my, my main objective, and Chris had to agree with me. The sign we put up there, the five square feet sign, looks ridiculous.

Mr. Cooper - It is small.

Mr. Galusha - It looks ridiculous. I mean, I don't think anybody could set up there and say that it... And I think that...

Mr. Cooper - The town...

Mr. Galusha - Whoever, whoever drawed up that five square feet when they made that sign ordinance, they weren't really thinking of, no more than I did, when they said five square feet.

Mr. Cooper - Yeah, that's a fair argument because, ya know, these zoning ordinances aren't perfect, but it seems to me if that's the strength of your argument, that you've got to go back to the Town Board and say five square feet is ridiculous in a commercial zone.

It's just too small. But we're not talking about what the Town Board should do, whether they should be changing the standard or not. We're talking about your property and whether you have shown that your circumstances are such that we have to ignore the ordinance and impose another standard, so that's the legal hurdle you're up against.

Mr. Galusha - I, I understand that completely. If we have to go to the Town Board, then we have to go to the Town Board. I mean, that's, but we had to start somewhere.

Mr. Cooper - Yeah. Well, any other comments? You got any questions anybody want to ask the Galusha's?

Mr. Morey - No, not the Galusha's. I mean, when we go down through the application, I have a couple thoughts, but...

Mr. Cooper - Okay. Well, understanding you're not attorney as we go down through the standards, at times the Board will come up with ideas of how the answers should have been filled out better more to your advantage. We're not here to put the screws to anybody.

Mr. Galusha - No. No, I, I understand that.

Mr. Cooper - Okay. So the first question is whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the area variance. And you checked the box no. And the answer is, "my sign will be the same size as the rest of the signs in this area". Well, I guess the first thing you would want to say is that it isn't going to affect the Chinese family that that lives next-door because ironically now that flowering pear tree is going to screen them off from the sign, and it's going to be side-lit. Right?

Mr. Galusha - Yeah, (inaudible) top.

Mr. Cooper - From the top there will be light directed on it. Is that going to be both sides?

Mr. Galusha - Both sides.

Mr. Cooper - When is that light going to go off? You going to run it all night?

Mr. Galusha - Yes, it's on all...

Mr. Cooper - Well, that might bother your neighbor. I don't know. Some, there are some signs along that stretch, I'm sure, on all night.

Mr. Galusha - I don't see any of them here.

Mr. Cooper - Well, would you be willing to have a timer on it so it gets shuts off at say 10 o'clock, something like that?

Mr. Galusha - We can do that.

Mr. Cooper - When you stop business.

Mr. Galusha - It'll save power.

Mr. Cooper - 2... You got anything there, Mr. Morey?

Mr. Morey - No. I don't see where it's changing the character of that neighborhood at all. So that's...

Mr. Cooper - Okay. 2, whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance. Your answer is, "no. There has been other signs on the building bigger than what is there now and because of the limited space in conjunction of the building and Main Street, it is the only location". Is there any limit to them putting a sign on the side of the building? They have one there now. It says last liquor 'til New York City. Could they put a 20 by 20 foot sign there?

Mr. Belden - No. I mean, it would be a different... The reason, the reason that the size limitation...

Mr. Cooper - I know this is different 'cause it's freestanding, but...

Mr. Belden - This is a, this is a projecting.

Mr. Cooper - Okay.

Mr. Belden - - It's not a freestanding sign.

Mr. Cooper - Projecting.

Mr. Belden - But yeah, that, that's the reason that the size limitation is the way it is. If it was attached to the building...

Mr. Cooper - Painted on the building.

Mr. Belden - Would be... Would... Yeah, there would be a size limitation. It'd be 25 square feet. So...

Mr. Cooper - So it's pretty big. But you'd only see it from one direction.

Mr. Galusha - Right.

Mr. Cooper - North to south.

Mr. Galusha - Correct.

Mr. Cooper - Now could they do that even if we give them a variance tonight? Could they still put a 25 foot painted sign on that side of the building?

Mr. Belden - Yes.

Mr. Cooper - How do you feel about that? Is that good news?

Mr. Galusha - No. I don't want one of those.

(Laughter).

Mr. Cooper - Alright. Anybody on the Board have any comments about this? How bigger was that bigger sign that you talk about here?

Mr. Galusha - This, the other sign was four by four, the original sign that hung there.

Mr. Cooper - What is that, 16 square feet?

Mr. Galusha - Yeah.

Mr. Cooper - And how long ago...

Mr. Galusha - That was...

Mr. Cooper - How long ago did that come down?

Mr. Galusha - You're talking a long time ago. I mean, probably...

Mr. Cooper - It was another business, right?

Mr. Galusha - Yeah, it was other business, before we (inaudible). It was a junk shop in there, second-hand stuff and she had a piece of

plywood they cut in half and, and yes, the glass, John's glass. Remember he done windows and whatnot was in there? He had (inaudible).

Mr. Cooper - Any questions on this?

Mrs. Winslow - So this is going to be 4 by 3, is that correct?

Mr. Galusha - Yes.

Mrs. Winslow - So how, how far does that come out then, four feet? Does it come out to the sidewalk or?

Mr. Galusha - No.

Mrs. Winslow - No. (Inaudible).

Mr. Galusha - No, it's still back.

Mr. Cooper - And the four feet is going to be the horizontal length?

Mr. Galusha - Yes.

Mr. Cooper - Item 3, whether the requested area variance is substantial. And you check yes. "The size of my signs that I had there requested is bigger than what the policy is on the signs, so in order to get a bigger sign, this is the way it has to be done". So 3, we agree, the ordinance says five feet and you want 12 square feet. That's, that's an increase of 120%, I think. I don't know. Math isn't my strong suit, but it's a lot anyway.

Mr. Galusha - Yeah.

Mr. Cooper - It's significantly out of compliance of what the law requires.

Mr. Galusha - Correct.

Mr. Cooper - Number 4, anybody got any comments about that? Mr. Moffit?

Mr. Moffitt - No.

Mr. Cooper - Okay. Number 4, whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Checked no. "There was a pre-existing sign there before and this will conform to the other signs in the area". So here you come back to the statement that the ordinance is wrong because all the other signs in the neighborhood are bigger.

Mr. Galusha - Correct.

Mr. Cooper - Mr. Belden, raise your right hand, would ya. Swear to tell the truth, the whole truth and nothing but the truth?

Mr. Belden - Yes.

Mr. Cooper - Is that an accurate statement, that the other signs on the, the projecting signs in that neighborhood are this size or larger than the legal size, on average?

Mr. Belden - I don't... Well, they aren't that many projecting signs in that neighborhood. I don't believe the only...

Mr. Galusha - The pack basket place is larger.

Mr. Belden - The Adirondack Rustic Interiors?

Mr. Galusha - Right. Their sign is larger. The Bistro, I believe, you will find it's bigger than five square feet. It's oval, so maybe (inaudible).

Mr. Cooper - It sticks out over the sidewalk, doesn't it?

Mr. Belden - Is the... I'm not sure if the Adirondack Rustic Interiors sign is, would be considered to be a projecting sign. I believe it hangs off the porch roof, or well, the second story roof. 'Cause the floor juts out of the second story.

Mr. Cooper - So is it parallel to Main Street, is that what you're saying, not, rather than perpendicular to Main Street like this one? Mr. Belden - I mean, technically it, it sits perpendicular to the face of the building, but it's, it is hanging from, it's, it's attached to the building. But I mean I guess, a 4 by 3 sign is...

Mr. Cooper - So you can't answer this one way or the other?

Mr. Belden - No, I don't have that information in front of me, but a 12 square foot sign I don't think is going to be too far out of character with the Willow's sign or the, I think New Way Lunch also has for their parking has a sign like that there and I believe... (Tape inaudible).

Mr. Cooper - The candy shop and all those along there are up against the building?

Mr. Belden - Hm hm.

Mr. Cooper - Besides the A-frame style signs. I just wanted to...

Mr. Belden - Who's most of your clientele? Are they local people or do you get transients or is it, ya know, 50/50?

Mrs. Galusha - 50/50.

Mr. Cooper - Do a lot of people stock up on their way back to the city? What do they do in between here and the City?

Mrs. Galusha - Whatever (inaudible). That's their problem.

Mr. Cooper - As long as they keep moving.

Mrs. Galusha - As long as they're not in my way.

Mr. Cooper - I just wondered if the, there's more sin taxes down in New York City than there are up here, so it's a real bargain for 'em to buy liquor here and transport it down there, don't ya know.

Mrs. Galusha - We get a lot of (inaudible).

Mr. Moffitt - From living in the city and buying liquor in the city, it's much cheaper to buy up here.

Mr. Cooper - Okay.

Mr. Belden - But I don't, I don't think a 12 square foot sign would be, ya know, extremely out of character with the existing projecting signs that are there.

Mr. Cooper - Alright, let's go to number 5 unless Mr. Morey has a question here.

Mr. Morey - No, I don't have a question.

Mr. Cooper - Number 5, whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals but shall not necessarily preclude the granting of an area variance. And your answer is, "it's not self-created. The size of my sign that I have asked for is the same size as the area in which the store is located. It will be large enough for people driving by. The one I have now is too small and the trees are blocking it". You aren't going to cut down the tree, are ya?

Mrs. Galusha - (Inaudible).

Mr. Cooper - I like trees. They say there's no tree safe in Warrensburg, ya know. They took down all the ones up there by the park up by the Ashe's and they took down all the ones at the rec field. There's no tree safe in Warrensburg. They took down the ones in front of the office here. There were two big maple trees. All of a sudden they disappear...

Mr. Galusha - Those there they planted when they done Main Street.

Mr. Cooper - Oh yeah?

Mr. Galusha - They didn't used to be there.

Mr. Cooper - Well, yeah, I know that, but they got up to pretty good size when they took 'em down.

Mr. Galusha - That's right.

Mr. Moffitt - Then they cut 'em down.

Mr. Cooper - Cut 'em down and they put another one in there. Alright.

Mr. Galusha - (Inaudible) had to cure the ants. They're eating 'em up pretty good until the Orkin man come around and he sprayed them.

Mr. Cooper - Well, I'm sure all of them were taken down with some pretext or justification. I know the ones out on the rec field, I guess, whoever the committee member was, was afraid they'd fall on a child or something. So when you bought the property over 20 years ago, there was a business next door that had a projecting sign hanging out there.

Mr. Galusha - Correct.

Mr. Cooper - And were they your tenants?

Mr. Galusha - Yes.

Mr. Cooper - And when did they move out, as best you can recollect?

Mr. Galusha - The glass place was the last one, wasn't it?

(Tape inaudible).

Mr. Galusha - Ten, 12 years.

Mrs. Galusha - (Inaudible).

Mr. Cooper - And what, what happened at that time. You, did they take their sign down or did you take it down?

Mr. Galusha - We took it down.

Mr. Cooper - And how long was it before you put up a Ray's Liquor sign there?

Mrs. Galusha - (Inaudible).

Mr. Cooper - So are you saying it was, you had no sign there for ten years on that spot?

(Tape inaudible).

Mr. Galusha - But we didn't have competition. We didn't have competition either. And we weren't on that side all that time either. We only converted it over...

Mrs. Galusha - 2009. (Inaudible).

Mr. Cooper - So it's been, both sides have been used for about five years?

Mrs. Galusha - Five, six years, yeah.

Mr. Cooper - Yeah, okay. Okay, anybody have any comments about this one, number 5? Mr. Morey?

Mr. Morey - No, I, I don't think it was self-created. I mean, there's some issues with the tree and the, the lack of his ability to (inaudible). I don't think that they had anything to do with that. They're certainly affected by it.

Mr. Cooper - Hm hm.

(Tape inaudible).

Mrs. Winslow - Will you be able to see it around the tree (inaudible).

Mr. Cooper - No.

Mrs. Winslow - I don't think so. I just...

Mr. Galusha - You're not going to...

Mrs. Winslow - Unless the leaves are down.

Mr. Galusha - You'll catch it as you come by the tree (inaudible).

Mr. Cooper - Anything else you folks want to add? Okay. I'm going to move that we find this to be a Type II listed action under the State Environmental Quality Review Act. Is there a second to the motion?

Mr. Morey - I'll second.

Mr. Cooper - Any discussion? This says that you don't have to do an environmental impact statement because it's in a class of changes that the state legislature has said don't require that. So this is for your advantage. Discussion? All those in favor, indicate by saying aye.

Mr. Morey - Aye.

Mr. Moffitt - Aye.

Mrs. Winslow - Aye.

Mr. Cooper - Let the record reflect that the board is unanimous in finding that this is a Type II listed action under the State Environmental Quality Review Act.

RESOLUTION #2014-9

Motion by: James Cooper
Second by: Mark Morey

RESOLVED, to deem application ZBA #2014-3 by Katherine Galusha, for tax map #211.13-4-6, located at 3743 Main Street, for an area variance, as a Type II listed action under the State Environmental Quality Review Act.

DULY ADOPTED ON THIS 9TH DAY OF OCTOBER, 2014 BY THE FOLLOWING VOTE:

Ayes: Donne Lynn Winslow, James Cooper, Mark Morey, Harold Moffitt

Nays: None

Mr. Cooper - Which brings us to the main application, and as is the custom of the board, I, Chairman, will move it in the affirmative. Is there a second?

Mrs. Winslow - I'll second.

Mr. Cooper - Mrs. Winslow seconds. Okay. I would move that if the board grants the area variance application for the increase in sign size, that the condition be imposed that the applicant be required to terminate exterior illumination of the sign after the hour of 10 p.m. Is there a second to the motion?

Mr. Moffitt - I'll second it.

Mr. Cooper - Discussion. Alright. As to this motion about the condition, (inaudible) I'll poll the board. I vote aye will be to impose the condition. Mrs. Winslow?

Mrs. Winslow - Aye.

Mr. Cooper - Mr. Morey?

Mr. Morey - Aye.

Mr. Cooper - Mr. Moffitt?

Mr. Moffitt - Aye.

Mr. Cooper - And I vote aye as well.

RESOLUTION #2014-10

Motion by: James Cooper
Second by: Harold Moffitt

RESOLVED, to impose a condition on application ZBA #2014-3 by Katherine Galusha, for tax map #211.13-4-6, located at 3743 Main

Street, for an area variance, if approved. The condition being that applicant be required to terminate exterior illumination of the sign after the hour of 10 p.m.

DULY ADOPTED ON THIS 9TH DAY OF OCTOBER, 2014 BY THE FOLLOWING VOTE:

Ayes: Donne Lynn Winslow, James Cooper, Mark Morey, Harold Moffitt

Nays: None

Mr. Cooper – Which brings us to the main application, seeking an area variance to replace the statutorily required five foot sign with a 12 foot sign. I think the motion has been made in the affirmative already. Is there discussion?

Mr. Morey – Yes. This, as a result of our training, as we discussed the area variance and went through that, one point was made that they don't have to pass... The standard isn't as high as it is for a use variance as we know, but they, they don't have to pass all the tests, just the majority of it. So I think that although the requested variance is substantial, that that's pretty much all set by the, the other signs in the area and the fact that that sign is out of place. It looks out of place the way it is now. It's not, obviously not adequate for a business. And then these other conditions that ya know, I don't see where if you expect someone to do business and that they have this difficulty, that they don't use to test the practical difficulty anymore, but it's certainly here. What is your answer to attracting business (addressing Mr. Cooper)?

Mr. Cooper – Well, it's not for me to answer. It's for the Town Board to answer.

Mr. Morey – Well, we're...

Mr. Cooper – They're the ones that passed the ordinance. We're the ones that are supposed to follow it so, rather than amend it.

Mr. Morey – This comes to us all the time that we get situations where, and we have with signs before as with setbacks on signs that when something's out of place, there's got to be a first test of that and before the Town Board, I think, would consider that, they have to see action by this Board or some complaint other than just one person that there was a problem with that, with the ordinance.

Mr. Cooper – Well, I think you're right because historically when Marion Park was classified for single family residential and we had almost bi-monthly applications for mobile homes or expansions of mobile homes up there and we were required to grant variances over and over again and finally got the Board's attention and then changed the statute. So that conforms with your...

Mr. Morey – Yes, I recollect that.

Mr. Cooper – ...comments. So I think that that's a reasonable position to take, Mr. Morey. Do you have anything you'd like to say?

Mr. Morey – No, that's all.

Mr. Cooper – Mr. Moffitt?

Mr. Moffitt – No.

Mr. Cooper – Alright. You folks ready to vote? Okay. At this time, I'll, a vote aye will be to grant the area variance application, with condition, to allow the applicant to construct a 12 square foot sign in a district which, or in a circumstance which the ordinance requires a maximum of five square feet. Mrs. Winslow?

Mrs. Winslow – Aye.

Mr. Cooper - Mr. Morey?

Mr. Morey - Aye.

Mr. Cooper - Mr. Moffitt?

Mr. Moffitt - Aye.

Mr. Cooper - I vote in the negative. Your application has passed and any other town or local law requirements necessary you're going to have to comply with, but a lot of those don't have anything to do with us and you may not have to comply with anything else. Okay?

Mr. Galusha - Okay.

RESOLUTION #2014-11

Motion by: James Cooper

Second by: Donne Lynn Winslow

RESOLVED, to approve application ZBA #2014-3 by Katherine Galusha, for tax map #211.13-4-6, located at 3743 Main Street, for an area variance to allow a 12 square foot projecting sign, with the condition that the lights be extinguished after the hour of 10 p.m.

DULY ADOPTED ON THIS 9TH DAY OF OCTOBER, 2014 BY THE FOLLOWING VOTE:

Ayes: Donne Lynn Winslow, James Cooper, Mark Morey, Harold Moffitt

Nays: None

Mr. Cooper - Okay, so you folks can go home. Thank you for coming.

Mr. Galusha - Thank you. Have a good night.

Mr. Cooper - Good night.

Mr. Morey - You too.

Mr. Cooper - Do we have any letters or anything?

Mr. Belden - No.

Mrs. Corlew - Nope.

Mr. Cooper - Under comments, I just indicate to the Board that I send my letter of resignation in to the Town Board last month, effective December 31, and I don't know if we'll have any business between now and then, so I want to express my appreciation to the members of the Board for their service and it's been a pleasant experience for me.

Any other comments?

Mr. Morey - Well, that's not good news.

Mrs. Corlew - No, it's not, but thank you for your service.

Mr. Moffitt - Who's going to replace you? That's my question.

Mr. Cooper - That's up to the Town Board. I think I've served since 1988 and that's long enough.

Mrs. Corlew - Yeah.

Mr. Moffitt - That's a long time.

Mrs. Corlew - Can't say I blame ya. It's been a long time.

Mr. Cooper - So with that, we'll adjourn. We don't have anything in the cooker for next month?

Mrs. Corlew - No.

Mr. Belden - No.

Mrs. Corlew - No.

Mr. Belden - No, I don't think so. Okay. We stand adjourned.

The Zoning Board meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Patti Corlew
Recording Secretary

Zb10092014

RESOLUTION #2014-9

Motion by: James Cooper
Second by: Mark Morey

RESOLVED, to deem application ZBA #2014-3 by Katherine Galusha, for tax map #211.13-4-6, located at 3743 Main Street, for an area variance, as a Type II listed action under the State Environmental Quality Review Act.

DULY ADOPTED ON THIS 9TH DAY OF OCTOBER, 2014 BY THE FOLLOWING VOTE:
Ayes: Donne Lynn Winslow, James Cooper, Mark Morey, Harold Moffitt
Nays: None

RESOLUTION #2014-10

Motion by: James Cooper
Second by: Harold Moffitt

RESOLVED, to impose a condition on application ZBA #2014-3 by Katherine Galusha, for tax map #211.13-4-6, located at 3743 Main Street, for an area variance, if approved. The condition being that applicant be required to terminate exterior illumination of the sign after the hour of 10 p.m.

DULY ADOPTED ON THIS 9TH DAY OF OCTOBER, 2014 BY THE FOLLOWING VOTE:
Ayes: Donne Lynn Winslow, James Cooper, Mark Morey, Harold Moffitt
Nays: None

RESOLUTION #2014-11

Motion by: James Cooper
Second by: Donne Lynn Winslow

RESOLVED, to approve application ZBA #2014-3 by Katherine Galusha, for tax map #211.13-4-6, located at 3743 Main Street, for an area variance to allow a 12 square foot projecting sign, with the condition that the lights be extinguished after the hour of 10 p.m.

DULY ADOPTED ON THIS 9TH DAY OF OCTOBER, 2014 BY THE FOLLOWING VOTE:
Ayes: Donne Lynn Winslow, Mark Morey, Harold Moffitt
Nays: James Cooper