

**BALDWINSVILLE ZONING BOARD OF APPEALS**  
**16 WEST GENESEE STREET, BALDWINSVILLE, NEW YORK**

Approved 4/10/06

The regular meeting and public hearing of the Baldwinsville Zoning Board of Appeals was called to order on March 13, 2006 at 7:00 p.m. by Chairman Corrigan.

**Present:** Brian Corrigan, Chairman; C. Taft; K. Beverine; J. Rutkowski; M. Read; Susan LaQuay, Board Secretary

**Not present:** J. C. Engelbrecht, Village Attorney

**Also Present:** Rolf Beckhusen, CEO

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The meeting was opened by reciting the Pledge of Allegiance.

### **OTHER BUSINESS**

Chairman Corrigan called for approval of the January 9, 2006 meeting minutes. Upon motion by C. Taft and second by K. Beverine to approve the minutes as corrected, the corrections being noted at the meeting of February 13, 2006. Carried.

Chairman Corrigan called for approval of the resolution for 29 Ronway Drive. Upon motion by K. Beverine and second by Chairman Corrigan to approve the resolution as corrected, the corrections being noted at the meeting of February 13, 2006. Carried.

Chairman Corrigan called for approval of the February 13, 2006 meeting minutes. Upon motion by J. Rutkowski and second by K. Beverine to approve the minutes as submitted. Carried.

Chairman Corrigan noted that Mayor O'Hara and the Board of Trustees had been provided with a memo outlining the Board's concerns/recommendations regarding the zone change request for 5, 7, and 9 Mechanic Street.

### **NEW BUSINESS**

#### **Discussion/Recommendations regarding Code Changes**

Rolf Beckhusen, CEO is present. Mr. Beckhusen stated the deadline for the Board's recommendations is Friday, March 17, 2006.

Chairman Corrigan stated he reviewed the code sections provided to the Zoning Board. He stated the Board could start discussion regarding this issue and submit their comments through the minutes. However, he feels the Board needs more time to further review this issue. The Board Members agree that more time is necessary.

C. Taft asked if the code revisions are being done to go along with EDR's plan. Chairman Corrigan stated he feels EDR is mainly focused on the business district. Mr. Beckhusen stated the Village is just trying to get the code updated. He stated many of the building codes are out of date.

Chairman Corrigan stated he took some notes as he reviewed the materials. He noted that 72-9 (C), district regulations for R1 district, deals with front yards. This Board sees this issue all the time. He suggested the minimal depth should be changed to 25'. He noted this section of the Village is what could be considered the "older section" of the Village. The newer sections are subjected to 30' even though the lots have to be bigger. He feels this does not make logical sense. He noted that R1 is currently a limited area of the Village with few lots left to build on and the code is imposing a deeper front yard setback. He feels this makes it essentially impossible to build here. He feels this code change would eliminate the need for many of the variance requests. He questioned the necessity of requiring a variance under current code if the changes would not be out of character of the neighborhood or district.

Chairman Corrigan also noted the code section, regarding this same area of the Village, which addresses private garages and accessory buildings. He noted the Board did employ this code regarding a lot on Syracuse Street where the Applicant was requesting multiple variances. Chairman Corrigan thinks the code should be revised to make corner lot side yard setbacks the same distance as the front yard setback if it is in the same district. He felt this should be the same for R1a district (72-9.2 (G)).

Chairman Corrigan noted code section 72-23 regarding off-street parking requirements. He stated it should clarify that this parking is to be maintained on the same lot as the building with 1.5 spaces per dwelling unit. He noted this has been a problem in the Village with people parking in the right-of-way and over sidewalks. Mr. Beckhusen noted it should include the clarification that the parking must be behind the sidewalks or street line. Chairman Corrigan agreed and felt the wording should be change to include "at or behind the street line."

Chairman Corrigan noted that parking requirements for an office or bank are one parking space per 75 square feet. He stated he feels this is excessive and should be reduced to one space per 150 square feet. Mr. Beckhusen stated he will check with state code regarding this.

J. Rutkowski stated that his concern was focused on Section 72-28. He would like to include things to protect residents and he does not believe a residential district should have more commercial buildings, for example a fire station like the one proposed on Route 48. He feels there should be changes to this code to limit their ability to work on training involving burning vehicles, crashing of vehicles, etc. in a residential district. Mr. Beckhusen asked where the firemen would train if stations are located in residential areas. He noted the state says they have to do a certain number of training exercises. Chairman Corrigan asked if they had to do this at their facility and asked if they could do this type of training at a station that is not in a residential area. J. Rutkowski stated he is suggesting limiting live fire training in a residential area and stated he would like to address this further at the next meeting. He feels it is important to discuss uses in certain districts.

Chairman Corrigan suggested the Board should address the code as it relates to signage. J. Rutkowski feels the code should not allow for sidewalk or A-frame signs. C. Taft noted the ARB recommended that there be no allowance for internally lit sign and no neon signs, as they destroy the historical ambiance of the business district. She noted this would apply to all new signs. Mr. Beckhusen suggested a 30-day per year permit for A-frame signs. M. Read suggested including a waiver for churches/non-profits and fundraisers.

C. Taft noted that for B1 and B2 the ARB would like to see no front yard setback requirement. Chairman Corrigan noted that B2 already says this. Mr. Beckhusen stated he thinks the code should maintain a setback to allow for potential road expansion in the future. C. Taft stated that they should not make laws in case something happens. She noted that having everything right up to the sidewalk makes it more pedestrian friendly, referencing the EDR presentation which shows cobblestone walkways with street trees. M. Read stated he feels this would cause traffic problems. Chairman Corrigan noted for example Jreck Subs. If this building were to burn down, would they want to see a new building placed on the same footprint? He feels this is an accident waiting to happen and it would be better to require a setback for this type of situation.

C. Taft noted that codes are not set in stone and variances can be applied for. Chairman Corrigan stated they need consistency, though, for variance requests. The Code must look at what is unique to each property that gives board right to grant a variance.

C. Taft stated she feels, as does the rest of the Board, that code revisions are more time consuming than this deadline allows.

Mr. Beckhusen stated the "domino effect" referring B2 to R1 to R1a, etc. should be eliminated to separate out the zones better.

Chairman Corrigan stated he feels these code revisions should be a more long-term issue. The Board was asked to discuss changes they would like to see and Chairman Corrigan feels there are too many to address at this one meeting. He stated the Board would, therefore, like an extension.

Chairman Corrigan suggested the Board draft a memo authored by Board as a whole stating that the ZBA looked at the code as it stands, made preliminary discussions, and has determined that this is a monumental

task to be undertaken in such a short period of time and they will not make the deadline. However, they will endeavor to discuss this over the next four meetings, as scheduled below:

Section 72-1 through 72-27 to be discussed at the April 10, 2006 meeting  
72-28 through 72-59 to be discussed at the May 8, 2006 meeting  
72-60 to 72-67 to be discussed at the June 12, 2006 meeting  
Tie together of all discussions at the July 10, 2006

Upon motion by Chairman Corrigan and second by J. Rutkowski to send the above outlined memo to the Village Board and to Mayor O'Hara. **Carried.**

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Susan A. LaQuay  
Zoning Board of Appeals Secretary