

Village of Baldwinsville Zoning Board of Appeals

Monday, March 14, 2022 @ 7:02 P.M.

Approved 4/11/2022

PRESENT: Jim Zuccolotto, Chairman
Jon Ream
Matthew Fox
Peg Halleron
Eric Reinagel

ALSO PRESENT: Joe Frateschi, Attorney
Kevin Baker, Planning Board alternate
Kristy Brightman, Attorney
Gregg Humphrey, Code Enforcement Officer
Mary Augustus, Secretary

Pledge of Allegiance

Motion by Mr. Ream to accept the Minutes for August 10, 2020, as written, second by Mr. Fox
Carried 4:0

Motion by Ms. Halleron to accept the Minutes from January 10, 2022, as written, second by Mr. Reinagel
Carried 5:0

Old Business

- Residential handicap access ramps

Mr. Zuccolotto discussed with the Board members the amended wording provided by Mr. Baldwin, Village Attorney for handicap access ramps for residential homeowners. After some discussion it was determined the Zoning Board members were satisfied and would make a recommendation to the Village Trustees to amend the current Code.

The Zoning Board's recommendation reads as follows:

§345-45 **Residential handicap access ramps.**

Notwithstanding any contrary provision contained in the Village Code, the following shall apply to handicap ramps on lots occupied by residential uses only:

- A. Such temporary or permanent handicap access ramps are permitted in any yard, provided that they are a minimum of 10 feet from any front lot line and a minimum of five feet from any side or rear yard lot line.
- B. Such temporary or permanent handicap access ramps shall require a building permit but shall not require Zoning Board of Appeals approval.
- C. Any application for a building permit made pursuant to this section shall be accompanied by sufficient evidence of the necessity for such a ramp.
- D. Handicap ramps shall be designed and built to local, state, and federal code guidelines relating to the Americans with Disabilities Act with specified slopes, handrails, etc.

- E. A temporary or permanent handicap ramp permitted under this subsection shall be removed if the need for it no longer exists.

Motion by Mr. Ream to recommend to the Village Board of Trustees the amended wording for the Residential Handicap Access Ramps to adopt into the Village Code, second by Ms. Halleron.

Carried 5:0

The following recommendation was sent to the Village Board on March 16, 2022:

Baldwinsville Zoning Board of Appeals

16 West Genesee Street, Baldwinsville, New York 13027

March 16, 2022

Mayor Clarke & Village Trustees,

The members of the Zoning Board of Appeals are requesting an amendment to our current Village Code. Through our reviews of applications for handicap access ramps over the past few years we feel it was time to update the Code. The applicants approaching us are already in a difficult situation, we would like to make this experience less stressful for them. We have as a Board with the guidance from Mr. Bob Baldwin, Village Attorney written an amendment to the Zoning Code.

Our recommendation reads as follows:

§345-45 **Residential handicap access ramps.**

Notwithstanding any contrary provision contained in the Village Code, the following shall apply to handicap ramps on lots occupied by residential uses only:

- A. Such temporary or permanent handicap access ramps are permitted in any yard, provided that they are a minimum of 10 feet from any front lot line and a minimum of five feet from any side or rear yard lot line.
- B. Such temporary or permanent handicap access ramps shall require a building permit but shall not require Zoning Board of Appeals approval.
- C. Any application for a building permit made pursuant to this section shall be accompanied by sufficient evidence of the necessity for such a ramp.
- D. Handicap ramps shall be designed and built to local, state, and federal code guidelines relating to the Americans with Disabilities Act with specified slopes, handrails, etc.
- E. A temporary or permanent handicap ramp permitted under this subsection shall be removed if the need for it no longer exists.

On March 14, 2022, upon a Motion made by Mr. Ream, with a Second by Mrs. Halleron, the Zoning Board of Appeals made a recommendation to the Village Board to add the above amendment, Residential Handicap Access Ramps, to the Zoning Code.

Carried 5:0

112 Syracuse Street-Maquire Family Limited Partnership/sign

Maquire is an auto dealership located at 112 Syracuse Street. This dealership was Evans Chevrolet and prior to it was VanWie Chevrolet. There is a 12' x 24' (288 sq. ft.), 22' tall sign on the property. The sign was installed on the property somewhere in the late 1960's or early 1970's to the best of anyone's recollection. The Village Code pertaining to signs was not adopted at the time the sign was installed.

Ms. Kristy Brightman, Attorney on behalf of Maquire was present this evening to address the Board. Maquire now owns the sign that is not compliant with the Village Code.

Section 268-6 of the Village Code states: *In the event that a business with a nonconforming sign changes hands and the firm name changes, the signs of the replacement business must meet the provisions of this chapter.*

Code Allowance: One freestanding sign which advertises only the name(s) of the owner(s) or occupant(s), trade name(s), trademark(s), product(s) sold or the business(es) or activities conducted on the property whereon such sign is located. Such sign shall be set back at least four feet from the right-of-way line of a public highway or street; however, in no event shall any part of any sign extend over a sidewalk. The sign shall not exceed 12 square feet in area on any side nor be more than 15 feet above ground level. The total area of all faces of a sign designed to be viewed from more than one direction shall not exceed 24 square feet.

Maquire is requesting a variance to allow the existing, non-conforming, 288 square foot sign to remain installed on the property. This would allow the owner to change the face of the sign from time to time, but not to enlarge the sign.

The dealership is in the Town of Van Buren, but the sign in question is in the Village boundaries. There are two (2) tax map numbers pertaining to this situation, the business, and the sign location each have their separate numbers. The property is listed as commercial. The dealership does park their inventory of cars and truck close to the sign.

The current sign reads "Welcome to B'ville! Home of the Bees" the center logo is of the Baldwinsville School District bee. A letter written by Mr. Jason D. Thomson, Superintendent of Baldwinsville School District dated March 11, 2022, stated the District's support allowing the sign to remain.

Motion by Mr. Reinagel to schedule a Public Hearing regarding the application for an AREA Variance by Maquire Family Limited Partnership on April 11, 2022, second by Mr. Ream.
Carried 5:0

Motion by Ms. Halleron to adjourn the meeting at 7:30pm, second by Mr. Reinagel.
Carried 5:0

Respectfully Submitted,

Mary E. Augustus

Mary Augustus, ZBA Secretary