

BALDWINSVILLE ZONING BOARD OF APPEALS
16 WEST GENESEE STREET, BALDWINSVILLE, NEW YORK
Approved May 8, 2017

The regular meeting of the Baldwinsville Zoning Board of Appeals was called to order on April 10, 2017 at 7:03 p.m. by Chairman, Jim Zuccolotto

Present: Jim Zuccolotto Chairman
John Rutkowski
Connie Taft
Kevin Beverine
Fred Thomas

Also Present: Mary Augustus, Secretary
Gregg Humphrey, Code Enforcement Officer
Bob Baldwin, Village Attorney

Chairman Zuccolotto welcomed Mr. Fred Thomas as a new member on the Zoning Board.

Guests: None

Pledge of Allegiance

Chairman Zuccolotto called for approval of the minutes from March 13, 2017 meeting. Ms. Taft would like to make a couple of corrections. In the Resolution, in the **Record of Vote**, Mr. Beverine was not in attendance for that meeting. Mr. Rutkowski voted in favor of the Resolution. The last correction is May 8, 2017 will be the next meeting for the ZBA not April 25, 2017.

Upon *motion* by Mr. Rutkowski and second by Ms. Taft to approve the minutes with corrections
Motion carried with a vote of 5:0.

111 Pebblestone Lane - AREA variance -The Landings at Meadowood/signs (Meigs Rd. & Downer St.)

Chairman Zuccolotto explained he had received a couple memos from Mr. Darcangelo, Village Engineer, and spoke with Mr. Humphrey regarding the variance applications coming up from Morgan Management; The Landings at Meadowood for next month's meeting. Mr. Zuccolotto would like to discuss protocol, the application came in but there was no Public Hearing scheduled. Mr. Zuccolotto questioned if there had to be a motion for the Public Hearing, Mr. Baldwin said yes. Mr. Baldwin continued to explain that the correct protocol is to have the applicant come before the Board to explain the submittal to get a better idea what needs to be done. Mr. Zuccolotto stated that Mr. Darcangelo's memo from April 6, 2017 explained exactly what the applicant requested and read the memo to the Board. (See attached memo) Mr. Zuccolotto confirmed the applicant did go before the Planning Board for a site plan. Also, in a PDD an ARB review and approval is required prior than going in front of the Planning Board. Mr. Darcangelo wanted to clarify the reason for the 3 signs and variance request.

Morgan Management property is sub-divided, the Meigs Road is one parcel and they want one sign, they need a size variance for this one. He continued, the Downer Street is a larger parcel and they are asking for two signs which will require a variance. All the signs are larger than allowed and will need a size variance for each. Mr. Zuccolotto wondered if Morgan Management had intentions of sub-dividing at a later date. Mr. Darcangelo believes they are done sub-dividing at this time; Phase II which is Meigs Road is being financed separately. The Pilot agreement covers all 3 parcels owned by Morgan Management. Mr. Darcangelo thinks their intention is to sell the third parcel.

Upon ***motion*** by Chairman Zuccolotto to set a Public Hearing to discuss the variances submitted by Morgan Management on May 8, 2017, second by Ms. Taft.

Mr. Beverine abstained from the vote. *Vote carried 4:0*

Mr. Zuccolotto further discussed the fact this area is a PDD, required to go before the Planning Board. Mr. Darcangelo explained Morgan Management had an approved site plan, but these signs were not shown on the plan, so this is a modification of the site plan for the Planning Board to review. Since, the signs are not in compliance with the Code, they would have to go for the variances. Mr. Zuccolotto wanted to confirm that the applicant would have to go before the ZBA and ARB prior to addressing the Planning Board again. Ms. Taft stated the ARB has reviewed the application for the sign at their last meeting. Mr. Humphrey explain the only thing the ARB reviews is the materials and design, they do not have any impact on the placement of the signs. Mr. Darcangelo stated the ARB should review the application before applicant is given the variance. Mr. Zuccolotto would like to review feedback from the Planning Board and the ARB. Mary Augustus will give the Board copies of the minutes from both the Planning Board and the ARB for their review prior to the May 8th meeting.

The Planning Board requested Morgan Management install a mock sign at the site, this was done. This was done to help determine the size of the signs and if there was any impact on visual hindrance on traffic patterns.

Upon ***motion*** by Chairman Zuccolotto declaring this a Type II Action defined by NYCRR Part 617 (specifically 617.5 (c)(10)) and Zoning Board of Appeals will make the determination if the variances are grant second by Mr. Rutkowski. No further SEQR action is required.

Mr. Beverine abstained from the vote. *Vote carried 4:0*

A further general discussion by the Board.

Upon ***motion*** by Mr. Zuccolotto to adjourn the meeting at 7:45pm, second by Mr. Rutkowski
Vote carried 5:0

Next meeting and Public Hearing scheduled for May 8, 2017.

Respectfully submitted,
Mary E. Augustus
ZBA Secretary