

**Town of Erwin  
Zoning Board of Appeals Meeting  
And  
Public Hearing**

**October 28, 2014**

**Present:** Chairman Frank Thiel, Kris West, Ruth Fisher McCarthy, Jay McKendrick

**Absent:** Jody Allen, Susan Fontaine

**Guests:** Randy Wayland, Rita McCarthy, Barb Lucas

**Call to Order:**

At 7:00 PM, Chairman Frank Thiel called the meeting to order in the meeting room of the Erwin Town Hall, 310 Town Center Road, Painted Post, NY 14870.

Minutes of the July 22, 2014 meeting have not been adopted due to a lack of quorum.

Minutes of the September 23, 2014 meeting were approved by unanimous consent.

**2014-10    REQUEST FROM BEARTOWN ROAD ALLIANCE CHURCH FOR AN AREA VARIANCE AT 21 BEARTOWN ROAD TO ESTABLISH AN 8' X 8' SIGN WHERE 5' X 4' IS ALLOWED. VARIANCE OF §130-81.B.3.d, Table 130-81-1, AND §130-81.C.12. WITH PUBLIC HEARING.**

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Notification of this action was sent to 97 adjacent property owners. A legal notice of this action printed in the Town's official newspaper, the Star Gazette on October 19, 2014, and in The Leader.

The sign variance is a Type II action under the State Environmental Quality Review Act. ***No SEQR action is required.***

The property is located in an R7.2 Residential Zone.

The applicant seeks to move the existing non-conforming, freestanding sign to the opposite side of the driveway. Since this move will establish a sign, and such sign could be in conformance with the regulations, an Area Variance is required.

Section 130-81.B.3.d and Table 130-81-1 limits a freestanding sign to a maximum height of 5 ft and maximum width of 4 ft. Section 130-81.C.12 limits a religious sign to an area that shall not exceed 20 sq ft and no higher than 5 ft.

The applicant seeks a sign 8 ft high by 8 ft wide, a total of 64 sq ft. Therefore the applicant is looking for relief of 44 sq ft, and height of an additional 3 ft.

Randy Wayland, pastor of the Beartown Road Alliance Church, presented the application. He noted that the primary reason for moving the sign is to correct a sight obstruction for neighbor Lewis' driveway. The existing sign is also difficult to read because of the reflective surface. Pastor Wayland showed photos on his cell phone of the existing sign on location.

The proposed sign would be located on the other side of the driveway and set back 22' from the road. The proposed sign would be shorter than the current sign and have a stone base. It would include the Beartown Road Alliance Church logo, the hours for services, phone number and occasionally additional information.

Member Kris West questioned why a variance was necessary.

Pastor Wayland noted that due to a large number of new members, it will be necessary to hold two services until the parking area can be expanded. It will therefore be necessary to include times for two services on the sign and it was thought that a compliant sized sign would not be large enough.

Chairman Thiel noted that several area churches posted similar information on code compliant sized signs.

Pastor Wayland noted that some of the other churches had more than one sign but Beartown Road Alliance Church has only one sign on the whole property.

Member Kris West questioned whether a telephone number was necessary information for the sign and whether the information needs to be large to be effective on a road in a school zone where the traffic moves slowly.

Member Jay McKendrick, acknowledging that the writing on the sign may need to be larger due to the 22' setback, questioned whether the size of lettering on the proposed sign is the minimum size necessary.

Pastor Wayland noted that it would be necessary to make a sample sign and test the effectiveness of various sized lettering.

Replacing the existing sign with a similar sized sign in the current location or moving the existing sign to a new location were considered as alternatives. It was determined that a variance would be needed in either case.

Member Kris West questioned the importance of the sign in relation to bringing in new members.

Pastor Wayland noted that new people, unknown to current members, show up at services each week. He considers the sign to be one reason.

Members agreed that better information was necessary before proceeding because the specific design was not presented. The Board requested a scale drawing of the actual sign proposed, including dimensions, graphics and sample text.

**MOTION TO TABLE APPLICATION 2014-10 UNTIL A COMPLETE DESIGN OF THE PROPOSED SIGN IS AVAILABLE.**

**MOVED BY: KRIS WEST            SECONDED BY: CHAIRMAN FRANK THIEL**  
**DISPOSITION: 4-0**

**THE MEETING WAS ADJOURNED BY UNANIMOUS CONSENT AT 7:30PM.**