

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

NOVEMBER 18, 2014

Present: Chairman Frank Thiel, Ruth Fisher McCarthy, Jay McKendrick, Jody Allen

Absent: Kris West, Susan Fontaine

Guests: David Lineman, Rita McCarthy, Barb Lucas

Call to Order:

At 7:06 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 October 28, 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.

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.

THE APPLICATION WAS TABLED AT THE OCTOBER 28, 2014 MEETING.

The board determined that a complete design of the sign was necessary in order to make a decision.

A legal notice of this action printed in the Town's official newspaper, the Star Gazette on November 9, 2014, and in The Leader.

David Lineman of the Beartown Road Alliance Church presented the application. New drawings of the proposed sign were presented.

The height of the proposed sign is 5 ft which is within code and the total square feet of the proposed sign is 15 sf which is within code, therefore a variance is not required.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:12 PM.

Submissions from 3 neighbors (attached) were read into the record.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:15 PM.

THE ZONING BOARD OF APPEALS DETERMINED THAT A VARIANCE WAS NOT REQUIRED FOR CASE 2014-10. THE NEW PROPOSED DESIGN IS COMPLIANT.

THE MEETING WAS ADJOURNED BY UNANIMOUS CONSENT AT 7:20 PM.