

**MINUTES OF THE REGULAR MEETING
ZONING BOARD OF APPEALS
BUTLER MEMORIAL HALL
JUNE 19, 2017**

The Regular Meeting was called to order at 6:00 P.M. by Chairman Randy Bogar. Board Members present were John Montrose, Lenora Murad, Karen Stanislaus, and Fred Kiehm. Board Members absent: Byron Elias and Taras Tesak. Also in attendance were Town Attorney Herbert Cully, Codes Officer Joseph Booth, and Secretary Dory Shaw. Everyone in attendance recited the Pledge of Allegiance. Chairman Bogar introduced the Board Members and explained the procedures for tonight's meeting.

Chairman Bogar stated that if anyone was present for the Terrell application, 12 Brantwood Road, that the application was postponed until the July 17, 2017 meeting

Chairman Bogar also mentioned that there are two Board Members who are not present this evening and it is up to the applicant whether to proceed.

The application of **American Sign, Inc. for Home Goods/TJX Corporation, Sangertown Square Mall, New Hartford, New York**. Request to install a storefront sign on building and second sign under canopy. The area is zoned C1 General Business, which allows up to 100 square feet of signage per side of building and one sign. Applicant is seeking a quantity Area Variance for two signs and a square footage Area Variance for 65 ± square feet. Tax Map #328.008-1-12.1; Zoning: C1 General Commercial. Mr. Greg Lamb of Sangertown Square Mall, Mr. Tony Lafo of American Sign, Inc., appeared before the Board. Also, Mr. Messrs. Greg Lamb and Luke Condon appeared representing Sangertown Mall.

Mr. Lafo explained that he is representing Home Goods, which is a new tenant in the former Circuit City at Sangertown Mall. They have their own entrance. He explained that one sign was for the store and a small one under the canopy. The signage is less than what existing there before. Lighting will be a building management system – dusk to dawn. Home Goods will have their own programming but the same concept.

Chairman Bogar asked if there was anyone in attendance regarding this application – no response. The Public Hearing closed at approximately 6:10 P.M.

At this time, the Board Members reviewed the criteria for an Area Variance:

- An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance – response: no, all in agreement;
- The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance – response: no, all in agreement;
- The requested variance is substantial – response: no, all in agreement;
- The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – response: no, all in agreement;

- The alleged difficulty was self-created, which consideration shall be relevant to the decision, but shall not necessarily preclude granting the variance – response: no, all in agreement.

Chairman Bogar stated that Oneida Planning and NYSDOT had no comments.

Motion was made by Board Member Karen Stanislaus to approve the application as presented; and that a Building Permit to be obtained within one year of approval date; seconded by Board Member Fred Kiehm. Vote taken:

Chairman Randy Bogar - yes

Board Member John Montrose - yes

Board Member Lenora Murad - yes

Board Member Fred Kiehm - yes

Board Member Karen Stanislaus – yes

Motion was **approved** by a vote of 5 – 0.

Draft minutes of the May 15, 2017 Zoning Board of Appeals meeting were approved by motion of Board Member John Montrose; seconded by Board Member Fred Kiehm. All in favor.

There being no further business, the meeting adjourned at 6:20 P.M.

Respectfully submitted,

Dolores Shaw, Secretary
Zoning Board of Appeals

dbS