

Organization River Area Council of Governments

Board Cooperative ZBA

Date and Time Wednesday, July 6 2016 at 7:00 PM

Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY

Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900

Minutes

RACOG
Cooperative Zoning Board of Appeals

TO: Members of the Co-op ZBA, T/Champion Board, T/Wilna Board, V/Carthage Board, Town/Village Clerks, Zoning Enforcement Officers, Timothy Farley, T/Champion Attorney, Mark Gebo, T/Wilna & V/Carthage Attorney and Planning Board Chairmen

FROM: Christina Vargulick, Cooperative ZBA Secretary

DATE: July 7, 2016

RE: Minutes from July 6, 2016

PRESENT: R. Blank, M. Gump and T. Kight

ABSENT: D. Austin

Chairperson Kight called the meeting to order at 7:04pm. The roll was called.

Motion by R. Blank, seconded by M. Gump to dispense with the reading of the June 1, 2016 minutes and to approve the minutes as presented. Ayes-3, Nays-0. Motion carried.

The owner of KC Nails & Spa, accompanied by Sue Valliere, was present on behalf of property owner Dr. Amjad Sheikh (parcel no. 86.41-1-69) in regards to an area variance application for a banner sign on the Church Street side of the building located at 329 State Street, Carthage. The property is located in the Business/Historic Downtown Business District (B/HDBD). Article 3; Section 146-8; Sub-section B4 allows signs up to 24 square feet. The sign installed by Signs & Designs is 72 square feet (12' x 6'). Robert Ball, V/Carthage ZEO, advised the Board that the applicant had the sign installed prior to applying for a zoning permit.

Chairperson Kight opened the public hearing on an area variance for parcel no. 86.41-1-69 at 7:10pm. A letter in opposition to the proposed variance was received from the V/Carthage Board of Trustees. The letter stated that "...the sign code was adopted for size consistency throughout the Village." Board members cited a number of businesses within the boundaries of the B/HDBD that appear to have signage inconsistent with Section 146-8; B.4 of the Village Zoning Law. No one from the public spoke for or against the proposed area variance. All persons desiring to be heard, having been heard, the public hearing was closed at 7:23pm.

Board members responded to the Short Environmental Assessment. Motion by R. Blank, seconded by M. Gump to issue a declaration of negative environmental impact. Ayes-3, Nays-0. Motion carried.

Board members reviewed the criteria for granting an area variance.

The following resolution was offered by M. Gump, who moved its denial, and seconded by R. Blank, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from KC Nails and Spa, acting as agent for Dr. Amjad Sheikh, parcel number 86.41-1-69 for a variance of Article 3; Section 146-8; Subsection B4, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concludes that the proposed construction would produce an undesirable change in the character of the neighborhood and the historic district.
- B. The Board concludes that the benefit sought by the applicant could be achieved by decreasing the size of

the signage.

C. The Board concludes that the variance is substantial.

D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.

E. The Board concludes that the alleged difficulty is self created.

NOW, THEREFORE BE IT RESOLVED that the application from
KC Nails and Spa, acting as agent for Dr. Amjad Sheikh,
parcel number 86.41-1-69 for a variance of Article 146;
Section 8; Subsection B4 is hereby denied.

The foregoing resolution was duly put to a vote as follows:

- D. Austin.....absent
- R. Blank.....aye
- M. Gump.....aye
- T. Kight.....aye

Kathy Amyot reported that The T/Wilna, V/Carthage and V/Deferiet Joint Planning Board met for the first time on July 6, 2016. Ms. Amyot advised members that Phil Street, Tug Hill Commission, should be available in early autumn to conduct training.

Motion by M. Gump, seconded by R. Blank to adjourn. The meeting adjourned at 7:45pm.

Christina Vargulick
RACOG Cooperative ZBA, Secretary