

**ZONING BOARD OF APPEALS
MONDAY, SEPTEMBER 26, 2022**

Members Present: Edward Darrow, Dave Steigerwald, Rick Tamburrino, Susan Marteney and Tom Adessa.

Members Absent: Mario Campanello and Stephanie Devito.

Staff Present: Brian Hicks, Code Enforcement, Nate Garland, Assistant Corporation Counsel.

APPLICATIONS APPROVED: 141 Owasco Street, 34 Wood Street and 13 Frazee Street.

APPLICATIONS DENIED: 140 Prospect Street.

APPLICATIONS TABLED: 325-327 Genesee Street.

Chair Edward Darrow: Good evening. Welcome to the City of Auburn Zoning Board of Appeals. I'm Board Chairman, Edward Darrow. Tonight we will be hearing 141 Owasco Street, 140 Prospect Street, 34 Wood Street, 13 Frazee Street, 325-327 Genesee Street and any other matters that may come before this Board.

141 Owasco Street. Applicant is requesting two Area Variances for the entrance gate and fencing located in the front yard. Applicant: Martin Moll.

Chair invites applicant to approach the podium. Chair advises that this is a seven-member Board and there are only five members present and asked the applicant if he wished to proceed. The applicant wished to do so. Chair asked the applicant to give name and address and advise of what they would like to do.

Applicant: Martin Moll, 141 Owasco Street. He's applying for a variance on a front gate and trellis that was destroyed by a vehicle in February.

Board Questions: Board asked what the dimensions of the trellis were. The applicant replied that there was previously a metal arbor with a side trellis for a privet hedge to go on and it was rickety. The privet hedge was completely destroyed to had to be removed. His plan is to replace it with some climbing hydrangeas so that's why he wanted to put the trellis on top of that portion of the fence to provide greenery. The arbor was a beacon for trash and people sitting under there eating. Since he put the gate up, there have been no issues. He went on to point out reasons why this should be allowed. He doesn't feel that it will have any adverse effect on the neighborhood. Board also commented that since he had lived in the City so long, he ought to have known he needed a permit before any work was done. Applicant responded that being that he was replacing a fence that had been there before, he didn't think he needed a permit.

Public To Be Heard:

Chair asks if there is anyone present wishing to speak for or against 248 S Hoopes Avenue. Seeing none, hearing none, the public portion will be closed.

Board discusses the matter of the three variances.

Mr. Tamburrino makes a motion to grant John Locastro three area variances. One, an area variance of 48 square feet over the allowed maximum of 144 square feet. Seconded by Ms. Devito. All members voted in favor. Area variance was approved.

Mr. Tamburrino makes a motion to grant John Locastro an area variance of 2 feet of the required side yard setback of 3 feet. Seconded by Mr. Campanella. Five members voted no and one member voted yes. Variances denied.

Since one variance was approved, please see Code Enforcement for the proper permits.

140 Prospect Street. Applicant is requesting two Area Variances to construct a driveway loop in the front yard. Applicant: Penny David.

Chair invites applicant to approach the podium, give name and address and advise of what they would like to do.

Applicant:

Public To Be Heard.

Chair asks if there is anyone present wishing to speak for or against 8 Button Street. Seeing none, hearing none, the public portion will be closed.

Chair discusses the variance and deems it to not be a significant one.

Mr. Tamburrino makes a motion to grant Mr. Vargason an area variance of 280 square feet over the maximum allowed of an accessory structure to construct a roof over the side patio. Seconded by Ms. Devito. All members voted in favor. Area variance was approved.

34 Wood Street. Applicant is requesting an Area Variance of 9 ft. of the required 20' front yard setback for a 24'x28' garage.. Applicant: Jeffrey Dugan.

Chair invites applicant to approach the podium, give name and address and advise of what they would like to do.

Applicant: Thomas Nardella, 4 Harden Street. Mr. Harden advised that he would like to put in a second driveway where he is going to put a pole barn. The existing house doesn't have a garage, just a driveway.

Chair asked for an explanation as to why the applicant needed the extra 6 feet added onto the 20 feet allowed. Chair advised that the Board was required to make the minimal amount of variance needed. Board asked additional questions regarding this.

PTBH:

Chair asks if there is anyone present wishing to speak for or against 4 Harden Street. Seeing none, hearing none, the public portion will be closed.

Board discussed the matter.

Mr. Tamburrino makes a motion to grant Mr. Nardella an area variance of 6 feet over the allowed maximum 20 feet in driveway width as shown in the revised plot plan. Seconded by Mr. Campanella. All members voted in favor. Area variance was approved.

13 Frazee Street. Applicant is requesting an Area Variance of 48 sq. ft. over the allowed maximum of 144 sq. ft. for the placement of a 196 sq. ft. shed in the backyard. Applicant: Timothy Wilder.

Chair invites applicant to approach the podium, give name and address and advise of what they would like to do.

Applicant: Buddy Unger, 33 Dexter Avenue. Applicant stated that they would like to put a 10 x 16 shed on their lot.

Public To Be Heard.

Chair asks if there is anyone present wishing to speak for or against 33 Dexter Avenue. Seeing none, hearing none, the public portion will be closed.

Board commented that this is a small variance for a shed on a large lot.

Mr. Tamburrino makes a motion to grant Mr. Buddy Unger an area variance of 16 square feet over the allowed maximum of 144 square feet in shed size. Seconded by Mr. Adessa. All members voted in favor. Area variance was approved. Please see Code Enforcement for the proper permits before work begins.

70 Standart Avenue. Applicant is requesting an Area Variance for the placement of a 20 x 28 garage. Applicant: William Leonard.

Chair invites applicant to approach the podium, give name and address and advise of what they would like to do.

Applicant: Bill Leonard Jr. wants to build a garage at the end of his driveway with a little storage with it.

Chair inquires if he wants to build the garage right on the property line. Applicant replies in the affirmative. Chair asked what the current distance is between the proposed garage and the shed that's already there. Applicant responded 10 to 15 feet. Chair advised that there was no reason that he couldn't move the garage over 3 feet and he would still have room. There was more discussion regarding the property line. Board commented that there was no input from neighbors relative to the garage being so close to the property line. The matter of water runoff to the neighbor's yard was discussed. Board had the concern about future neighbors objecting to the shed being so close to their property line.

PTBH:

Chair asks if there is anyone present wishing to speak for or against 70 Standart Avenue. Seeing none, hearing none, the public portion will be closed.

Board discussed the matter and still had concerns about runoff to the neighbor's property with the garage being right on the property line, together with runoff from the driveway. Board thought he could rework his garage by moving it back and over a little bit and it would be more than 3 feet from the property line.

Mr. Tamburrino makes a motion to grant Mr. William Leonard, Jr. an area variance of 3 feet over the 3 foot setback from the western side yard property line. Seconded by Ms. Devito. All members voted to deny the variance. Mr. Leonard left before the voting was completed. Area variance was denied.

325-327 Genesee Street. Applicant is requesting an Use Variance to erect self-storage units at the property. This is not an allowed listed use. Applicant: True Storage, LLC

Chair invites applicant to approach the podium, give name and address and advise of what they would like to do.

Applicant: Tony Francichelli for Tompkins Trust Company and Craig from Cayuga Signs. They're looking for three variances because they're looking to change the name of the Bank and looking to replace the plexiglasses that are in the signs already with the new name.

Chair understood the situation and it was just a matter of the paperwork being correct. The bracketing on the signs was discussed.

PTBH:

Chair asks if there is anyone present wishing to speak for or against 86 North Street. Seeing none, hearing none, the public portion will be closed.

Mr. Tamburrino makes a motion to grant Tomkins Trust Company three area variances; 1) an area variance for the construction of a pole sign, a non-permitted type in a D Zone; 2) an area variance of approximately 4 inches in letter height for a pole sign of the maximum 18 inches; and 3) an area variance of 1.3 square feet over the allowed 6 square feet for the bracketed sign. Seconded by Ms. Devito. All members voted in favor. Area variance was approved. Please see Code Enforcement for the proper permits before work begins.

17 Lansing Street. Applicant is requesting two Area Variances for installation of new signage for proposed cancer center. Applicant: Pack Grove Realty, LLC.

Chair invites applicant to approach the podium, give name and address and advise of what they would like to do.

Applicant: Paul Avec with Polk Architects, 619 West State Street, Ithaca, NY and Bob Locawitz, Vice President of Facilities, Auburn Community Hospital. Applicant explained that there is an existing sign that directs you to the hospital so as part of this package, they're replacing that with a monument sign and then three signs on the building which exceeds the allowable signage. The area of the signage is larger than is allowed. Due to the nature of the building, in stressful situations, people need to find the building, therefore signage is important. The lighting was discussed as well.

PTBH:

Chair asks if there is anyone present wishing to speak for or against 86 North Street. Seeing none, hearing none, the public portion will be closed.

Board conveyed a positive message for the package presented for this request.

Mr. Tamburrino makes a motion to grant Pack Grove Realty, LLC two area variances; 1) and area variance of 234.98 square feet over the allowed maximum of 60 square feet for the site; and 2) an area variance of one sign over the maximum of three signs per site in a C Zone. Seconded by Ms. Devito. All members voted in favor. Area variance was approved. Please see Code Enforcement for the proper permits before work begins.

Housekeeping:

Mr. Garland advised the Board regarding certain language on the permits that the Board may not be familiar with. This language directly impacts Board members work. The language is something to the effect of “the applicant agrees that Board members may review the site in person upon reasonable notice”. There was an instance where an applicant took exception to not being given that notice and the Board member had zero knowledge of that language. This puts Board members in a real tough spot. Mr. Steigerwald dealt with that very, very well. There is a concern that if that language is not changed, especially due to the world we now live in, the safety of this Board could be impacted. With the Board’s direction, Mr. Garland will change the language to something like “the applicant agrees that Board members may visit the property to inspect and visits will occur the weekend before the meeting”. Board concurs with the change of the language.

Meeting adjourned.

Next meeting July 25, 2022.