

**ZONING BOARD OF APPEALS  
MONDAY, FEBRUARY 25, 2019**

Members Present: Scott Kilmer, Rick Tamburrino, Stephanie DeVito, Doug Parker, Robert Gagnier, Susan Marteney, Ed Darrow

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

**APPLICATIONS APPROVED:** 41-53 Genesee St., 204 Grant Ave

**APPLICATIONS TABLED:** 126 Cottage St., 132 North St.

Ed Darrow: Good evening. Welcome to the City of Auburn Zoning Board of Appeals. I'm board chairman, Ed Darrow. Tonight we will be hearing 41-53 Genesee St., 204 Grant Ave, 126 Cottage St., and 132 North St. I ask you at this time to please silence all phones or put them in manner mode.

Chair asks if every had a chance to review the December 2018 minutes. Minutes accepted.

Chair asks if every had a chance to review the January 2019 minutes. Minutes accepted.

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**41, 43-51, 53 Genesee St. D zoning district. Area variance for sign. Applicant: Grant Kyle for Kylecroft Development.**

Chair: At the last meeting we were ready to vote but could not make a clear determination on the measurements of the signs requested. We held a public hearing and that remains closed. Asks if measurements submitted tonight are correct.

Brian Hicks: Yes.

Chair asks for a motion.

Motion to approve as submitted made by Scott Kilmer, seconded by Stephanie DeVito. All members vote approval. Motion carried.

Ed Darrow: For the record all discussions concerning this matter were held at the January meeting and the minutes may be referenced for same. Your variance is approved. Please see Code Enforcement Office for any necessary permits before beginning work.

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**126 Cottage St. R1 zoning district. Area variance for conversion from single to two-family. Applicant: Adrian Humphrey.**

Chair invites applicant to approach, give name and address and explain what they would like to do.

Adrian Humphrey as the applicant.

Chair: Confirms that applicant turned in requested conversion application only this afternoon and that does not give the board time to review. The matter will be tabled once more until March after which, if not all materials available for review, the matter will be removed from consideration and a new application and filing fee will be required.

Adrian Humphrey states his understanding.

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**204 Grant Ave. HC zoning district. Area variance for pole sign. Applicant: Bonnie Baker for Baker Carpet House, Inc.**

Chair invites applicant to approach, give name and address and explain what they would like to do.

Matt Ferguson with A&M graphics: We are seeking a variance for the pole sign that was actually taken down by the winds today. We have wanted a variance to put up a sturdier pylon sign as the existing sign was aging and deteriorating and in danger of failing, which it did. The new sign will be properly made and installed and sturdier to stand up to the weathers.

Edward Darrow: Questions the difference between the existing and proposed signs.

Matt Ferguson: The only difference is the shape. We are keeping the actual square footage along with a new structure which is more supportive and will be a two pole structure vs the one pole. Will also be much shorter than what was there.

Rick Tamburino: Questions the number of panels as on the application it has three but the pictures show two.

Matt Ferguson: The three panels are on the former sign, the new sign will only have two.

Rick Tamburino: Questions the difference between a pole sign and a pylon sign.

Brian Hicks: If you look in the Code you will actually not find a proper definition but it has always been understood that a pole sign is a single upright and a pylon sign has two uprights. Neither are allowed in the Code anymore.

Chair opens the public hearing. Being none the public hearing is closed.

Chair asks for board comments.

Scott Kilmer: Questions the logic in not allowing pole or pylon signs.

Brian Hicks: The new code, in adhering to the comprehensive plan, is removing these signs and giving way to ground or monument signs as more aesthetically pleasing.

Scott Kilmer: Thinks a ground side would be more visually impairing.

Brian Hicks: The cross-roads and setbacks would need to be determined for best placement.

Stephanie DeVito: There are two businesses on the proposed sign, is there room for a third?

Matt Ferguson: No, just the two. Carpet House owns the property so if we were to leave our sign would be removed and replaced with the new tenant's.

Chair asks for a motion.

Motion to approve as submitted made by Rick Tamburino, seconded by Stephanie DeVito. All members vote approval. Motion carried.

Ed Darrow: Your variance is approved. Please see Code Enforcement Office for any necessary permits before beginning work.

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**132 North St. C zoning district. Area variance for free-standing sign. Applicant: James Alexander for Contemporary OB/GYN**

Chair invites applicant to approach, give name and address and explain what they would like to do.

Matt Ferguson, A&M Graphics: We wish to add a flat faced sign to the existing posts in place of the sign that had previously been there.

Edward Darrow: Upon viewing the property I noticed the setbacks were there and it would be very easy to lower the sign to ground and box it in for a monument sign. We, as a board, are required to give the minimal variance possible and since a monument sign would work in this instance, and would not require a variance, for us to grant one would be undoing what the comprehensive plan and new code have been set up to do. Would you be willing to make this a monument sign?

Matt Ferguson: I would have to check with the Dr. Alexander, the business owner, for his decision.

Edward Darrow: Then the matter is tabled until the March meeting.

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**HOUSEKEEPING**

Edward Darrow: To make everyone aware I have been served with an Article 78 from Bouley Enterprises concerning our decision on 20 Canoga St. This is why it is so important for us to be clear in our justifications when we give testimony.

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Next meeting is March 25, 2019 at 7:00 p.m. Meeting adjourned.