

ZONING BOARD OF APPEALS
MONDAY, JULY 23, 2018

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: 63 Genesee St., 20 Lexington Ave, 5 Anderson Circle, 76 Metcalf Dr. 20 Thornton Ave

APPLICATIONS DENIED: 21 Paul 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 63 Genesee St., 20 Lexington Ave, 5 Anderson Circle, 76 Metcalf Dr., 21 Paul St., and 20 Thornton Ave. I ask you at this time to please silence all phones or put them in manner mode.

63 Genesee St. D zoning district. Area variances for signs. Applicant: Grant Kyle, 63 Genesee St. LLC

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

Grant Kyle, property owner: A variance was previously approved for signage that I would like to have reversed and have the work done as submitted on this new application.

Nancy Tehan, tenant for PlaySpace: We have decided that Grant's proposal is more appropriate and move to vacate the previous variance granted as we will not be erecting those signs.

Edward Darrow: Asks for a motion to reopen the previous variance matter. All members vote to reopen.

Asks for explanation of new proposal.

Grant Kyle: Tenants have asked for more visibility and addition of tenant names along with directional signs.

Edward Darrow: Do you really feel it takes four banners on North St. to bring attention?

Grant Kyle: The goal is to give the building more color.

Edward Darrow: I understand bringing in color. My concern is that it's a fine line between signage, directional signage and attention getting devices. It seems to be over population of signs and we don't want that downtown.

Grant Kyle: Thinks the building is a special case due to the contemporary vs. traditional design.

Edward Darrow: I like the detail of the blue signs and think they are appropriate but seven other signs is extreme.

Nancy Tehan: We get calls every date from people in front of the building who can't find it.

Susan Marteney: For a brutalist building this make it softer, it is needed to break down that hard concrete look.

Stephanie DeVito: Agreed. Softening will make it look better. Child friendly, family oriented business needs to be bright and colorful.

Chair opens the public hearing. None to be heard.

Chair asks for board comments.

Rick Tamburino: The building looks sterile and stark and this will soften it and make it more attractive.

Edward Darrow: Does the board agree that seven signs are really needed? Board agrees it is.

Asks for a motion to annul the previous variance and grant this new application as submitted.

Motion to approve as submitted made by Susan Marteney. Seconded by Stephanie DeVito.

All members vote approval except Edward Darrow who believes the request is excessing and unnecessary for the area. Motion carried.

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

20 Lexington Ave R1 zoning district. Area variance for garage. Applicant: Linda Gleason

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

Ed Gleason: Would like to construct a garage in excess of what is allowed to store motorcycles and cars.

Edward Darrow: Will you be demolishing the current carport?

Ed Gleason: Yes.

Edward Darrow: Verifies with Brian Hicks that the carport is part of the configuration.

Brian Hicks: It needs to be considered since the carport is currently there.

Chair opens the public hearing. None to be heard.

Chair asks for board comments.

Scott Kilmer: Factor out the 500 SF of the carport and that decreases the actual amount of the variance used. It makes it more reasonable.

Rick Tamburino: Make that a condition of approval that the carport is removed.

Motion to approve with the stipulation that the carport is demolished within six months made Rick Tamburino, seconded by Scott Kilmer.

All members vote approval. Motion carried.

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

5 Anderson Circle R1 zoning district. Area variance for shed. Applicant: Kathleen Nye

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

Jamie Nye: Has an existing seven by ten Rubbermaid shed and a garage that doesn't fit a car. Would like to build a larger storage shed. Existing shed will be removed.

Chair opens the public hearing. None to be heard.

Chair asks for board comments. No comments.

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

76 Metcalf Dr. R1 zoning district. Area variance for driveway/front yard parking. Applicants: Mario and Deborah LoMascolo

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

Mario LoMascolo: Would like to pave driveway to be over 20 feet wide.

Edward Darrow: Also needs approval for front yard parking.

Mario LoMascolo: With the heavy traffic especially when school is in session, we need to be able to turn around and head out for safety.

Edward Darrow: A turnaround is generally smaller than what you are asking.

Mario LoMascolo: We just needed something there where we can turn around.

Edward Darrow: Then 10 x 16 or 14 would be ok?

Mario LoMascolo: Yes.

Edward Darrow: That will minimize the look and protrusion into the front yard.

Stephanie DeVito: How many cars in the household?

Mario LoMascolo: Two, but we get many visitors.

Chair opens the public hearing. None to be heard.

Chair asks for board comments.

Rick Tamburino: Believes the small size is reasonable and makes sense for safety. It will look better over the existing crush and run.

Chair asks for a motion.

Motion to approve as submitted with turnaround size decreased to 10' x 14' 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.

21 Paul St. R1 zoning district. Area variance for pool. Applicants: Michael and Samantha Zellar

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

Michael Zellar: Put pull up ten years ago not realizing a permit was needed nor any setbacks.

Doug Parker: Who maintains the fence between you and the empty house?

Michael Zellar: I do.

Robert Gagnier: There was a similar variance last week with fence ownership and the height limits.

Edward Darrow: It depends on the pool. It has to have a four foot barrier to the water. Walls can qualify as the barrier.

Chair opens the public hearing. None to be heard.

Chair asks for board comments.

Edward Darrow: Concerned that it's been ten years without benefit of a permit, also need to consider reoccupation of the abandoned house.

Brian Hicks: It is a very narrow lot. We only came across this by inspecting the vacant house next door. Once we realized it was there we did our due diligence to obtain the permit.

Chair asks for a motion.

Motion to approve as submitted made by Rick Tamburino, seconded by Scott Kilmer.

All members vote dis-approval except Scott Kilmer who votes approval. Motion denied.

Ed Darrow: Please contact Code Enforcement Office as to what your next move is. Your variance has been denied.

20 Thornton Ave R2 zoning district. Area variance for property line setback. Applicant: Stephanie Hutchinson for Auburn Housing Authority

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

Stephanie Hutchinson, director of AHA: Seeing to subdivide property in order to be eligible for further government funding for renovations being done to the apartment complex.

Edward Darrow: Is a short form SEQR required?

Nate Garland: It was recommend by the Planning Board.

Rick Tamburino: The subdivision is to gain funding only?

Stephanie Hutchinson: Yes, to move forward we need the variance otherwise the buildings will continue to deteriorate. To use tax credits it needs to be under new ownership which will be a subsidiary of AHA who will continue to manage it. We will be back on the tax rolls and seeking a PILOT.

Chair opens the public hearing. None to be heard.

Chair asks for board comments.

Scott Kilmer: So this is just a technicality.

Edward Darrow: Reviews SEQR and asks for unanimous consent. Board votes for a negative declaration.

Chair asks for a motion to approve the subdivision as presented.

Motion to approve as submitted made by Scott Kilmer, 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.

Next meeting is August 27, 2018 at 7:00 p.m. Meeting adjourned.