

**ZONING BOARD OF APPEALS
MONDAY, OCTOBER 22, 2018**

Members Present: Scott Kilmer, Rick Tamburrino, Stephanie DeVito, Robert Gagnier, Ed Darrow

Members absent: Susan Marteney, Doug Parker

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

APPLICATIONS APPROVED: 89 E. Genesee St., 10 Hockeborne Ave, 96-100 Van Anden St.

APPLICATIONS TABLED: 210 Osborne St.

APPLICATIONS DENIED: 20 Canoga 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 20 Canoga St., 89 E. Genesee St., 10 Hockeborne Ave, 210 Osborne St., and 96-100 Van Anden St. I ask you at this time to please silence all phones or put them in manner mode.

20 Canoga St. R2 zoning district. Use variance unlisted use (pole barn). Applicant: Dan Bouley for Bouley Ent.

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

Daniel Bouley: Asking for a use variance to go to light commercial use in order to sell the property to Mr. Rizzo to build a pole barn for storage on landscaping materials.

Edward Darrow: Questions the size of the pole barn.

Ed Rizzo: Unsure at this time.

Chair opens the public hearing.

Charles DeNardo, Frazee St.: My only concern is how far back the building will be. Also am concerned with heavy equipment that cuts across my lawn. Plowing in winter makes the access more difficult.

Edward Darrow: The size and setbacks will have to conform to Code and we don't have any information on that yet.

Jeffrey Bryer, Canoga St.: Worried about how close the building will be and any traffic involved. Many kids in the area and a lot of car traffic. Also concerned about heavy equipment.

Ed Rizzo: On the corner there is an entrance with a slab; that is where the access will be. Stairs and loading docks will exit from the burned out buildings. The old structures are commercial. Don't see how the property could ever be used as residential.

Rick Tamburino: The environmental report is 25 years old.

Mr. Rizzo: A new environmental study is contingent on a decision tonight.

Edward Darrow: Questions the size of the lot.

Mr. Rizzo: 4.5 acres.

Stephanie DeVito: Will the pole barn house all the equipment.

Mr. Rizzo: There will be some stored outside; anything too large for the building. It is a seasonal business, we would not be operating during the winter.

Charles DiNardo: On the City maps it runs from 20 to 40 Canoga St. Questions location.

Edward Darrow: We have to assume it begins next to #18. The entire parcel would be used commercially.

Mr. Bouley: There is a significant grade from Canoga St. east, expansion would not be probable. It would not be cost effective.

Chair closes the public hearing and asks for board comments.

Rick Tamburino: Concerned about an increase in traffic. A use variance would be forever.

Edward Darrow: We've recently changed the zoning and the comprehensive plan. This would not fit into either. I don't think it fits and will drastically change the character of the neighborhood. Wishes Mr. Rizzo success but doesn't think it should be here.

Scott Kilmer: Concerned with the effect of the property. A use variance would give quite a lot of latitude to future enterprises. It sounds like it's not just storage but also running a business.

Stephanie DeVito: Also we have no information on specs for the building.

Edward Darrow: Asks everyone if they've reviewed SEQR. Reviews some of the questions. Puts forth that there is a positive declaration on SEQR. All board members agree.

Chair asks for a motion.

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

Robert Gagnier: No, it is not consistent with the comprehensive plan, does not fit in the neighborhood, and there are issues with access.

Stephanie DeVito: No, it does not fit the character of the neighborhood and traffic would be an issue.

Scott Kilmer: No, future of the business is unknown, it does not fit in the character of the neighborhood, and does not conform to the comprehensive plan.

Rick Tamburino: No, it is inconsistent with the comprehensive plan and does not fit the character of the neighborhood.

Edward Darrow: No, it is inconsistent with the comprehensive plan, does not fit the character of the neighborhood, and has a positive declaration on SEQR.

Ed Darrow: Your variance has been denied.

89 E. Genesee St. R2 zoning district. Area variances for a sign. Applicant: Aaron Wilson for St. Alphonsus parish.

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

Aaron Wilson, ovseer of St. Joseph's School: The diocese offered to change the sign to match all dioceses. We weren't aware permits were required and installed the sign. The difference is the orientation of the sign. It was installed in the fall of 2017.

Chair opens the public hearing. None to be heard. Public hearing closed.

Chair asks for board comments.

Rick Tamburinno: The sign is nice and not an eye sore. It is frustrating that it was done first without going through proper channels.

Edward Darrow: Agrees. The setback did not change much.

Rick Tamburinno: The size is substantial.

Scott Kilmer: But not out of place in that area.

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.

10 Hockeborne Ave R1 zoning district. Area variance for shed. Applicant: Matthew Bushnell

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

David Bushnell representing son who could not attend: He needs a larger shed as the current one is too fmall. The garage is crowded with belonging and would like to have a larger shed to store belongings. The existing shed will be removed.

Robert Gagnier: Questions the location of the new shed.

Mr. Bushnell: In the area of the current shed.

Robert Gagnier: Questions distances to property lines.

Mr. Bushnell: Three to four feet.

Chair opens the public hearing. None to be heard. Public hearing closed.

Chair asks for board comments.

Scott Kilmer: Questions the 91SF request.

Brian Hicks: Total of accessory structures requested and existing.

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.

210 Osborne St. R1 zoning district. Area variances for front yard parking. Applicant: Mike Curran for Cayuga Home for Children

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

Mick Curran: Initially looking to just resurface but we'd like about 25 feet more to be able to park more vehicles there.

Edward Darrow: These are areas currently marked as loading zones?

Mr. Curran: Some. At one point it was all paved.

Edward Darrow: You're hoping to enlarge from four spaces to six with a seventh as parallel?

Mr. Curran: We are looking at five spots with the fifth as parallel.

Edward Darrow: There will be no more backing onto Osborne St.?

Mr. Curran: No. Four will be pulling in straight and one will be parallel.

Edward Darrow: Concerned with the safety of backing into Osborne St.

Scott Kilmer: Questions if there has been any accidents at the spot?

Mr. Curran: Not at that site.

Edward Darrow: Questions setback to building.

Mr. Curran: About 20 feet. Clarifies the parking: We are combining spaces three and four to be parallel. We are maintaining spaces one and two. The parallel parking will be on the other side of spaces one and two.

Chair opens the public hearing. None to be heard. Public hearing closed.

Chair asks for board comments.

Rick Tamburino: The portion on Pulsifer Dr. is dangerous.

Stephanie DeVito: Recommends a traffic analysis.

Scott Kilmer: Thinks the parallel parking will increase safety.

Stephanie DeVito: Could a motion be contingent on traffic analysis?

Edward Darrow: We would have to table a decision until that is done. Asks the board who would like an analysis conducted. Three members wish it so. Tells the applicant that the item will be tabled until November 26, 2018 for a traffic analysis from Officer Greg Gilfus.

Mr. Curran: Agreed. Would like to get work done before winter sets in.

96-100 VanAnden St. R2 zoning district. Area variance for front yard parking. Applicant: Neil Hoppough

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

Neil Hoppough: Trying to resurface an existing driveway at rental property to eliminate on-street parking.

Edward Darrow: The asphalt is already there?

Mr. Hoppough: There is an agreement to always have off-street parking for the tenants. The driveway is for the rear house.

Edward Darrow: So there is no parking for the front house?

Mr. Hoppough: There is one spot.

Scott Kilmer: If the proposed work is not done where will the tenants park?

Mr. Hoppough: On the street.

Edward Darrow: The spot in front of #96, has the size changed?

Mr. Hoppough: No.

Rick Tamburino: Is the driveway against another drive?

Mr. Hoppough: Yes but it is wider than normal so doors can still be open with two cars there.

Chair opens the public hearing. None to be heard. Public hearing closed.

Chair asks for board comments.

Scott Kilmer: The property is well taken care of. The situation is not unique to this property, it exists on the entire street.

Edward Darrow: Only problem is how he ended up here. Once again the work was done without going through proper channels first although it will be an improvement even getting one car off the street.

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.

Next meeting is November 26, 2018 at 7:00 p.m. Meeting adjourned.

Recorded by Alicia McKeen