APPROVED: Certification of Receipt **MOTION BY: SECONDED BY:** AYES: **ABSTENTIONS:** NAYS: **ABSENT:** By: Rosaria Peplow, Town Clerk DISTRIBUTION: OFFICIAL MINUTES BOOK - TOWN CLERK - BLDG DEPT. Date: _ **ZBA MEETING MINUTES** TOWN OF LLOYD ZONING BOARD Thursday, December 10, 2015 CALL TO ORDER TIME: 7:00pm PLEDGE OF ALLEGIANCE Present: Paul Gargiulo, Paul Symes, Tim Marion, Alan Hartman, Anthony Giangrasso; Deputy Building ATTENDANCE Department Inspector Absent: Peter Paulsen, Anthony Pavese, John Litts, Michael Guerriero; Town Board Liaison ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES. **New Public Hearings** Indelicato, Joseph, 145 North Rd, Area Variance; SBL#88.1-4-11, in R¹/₂ zone. The applicant would like to install an 8 foot fence, only 6ft. is permitted. He would is requesting a two foot variance. Bill McGregor, the applicant's representative and Manager of the Valley Vista Adult Home, was present for the meeting. A Motion to open the public hearing was made by Paul Gargiulo, seconded by Tim Marion. All ayes. The Board reviewed this application and at the request of the applicant discussed having the outside or nice side of the fence face the applicant's (Mr. Indelicato) property. Anthony G informed the Board that if the fence is going to be turned the opposite way of how it is supposed to sit than the Board will need to have a reason why the applicant is permitted to do so. He also suggested a double sided fence. Discussion continued on fence placement. The Board understands that this is a unique situation, this application is being done by the neighbor (Valley Vista) for the applicant (Joseph Indelicato) and that the neighbor (Valley Vista) is fully aware that the fence will be installed in the opposite direction so that the nicer looking side will face Mr. Indelicato's house. A Motion to grant a 2 foot variance to install an 8 foot fence instead of a six foot fence with a condition that the decorative side of the fence will face the applicant's (Mr. Indelicato) house was made by Paul Gargiulo, seconded by Tim Marion. Tim Marion - Aye, Paul Symes - Nay, Alan Hartman - Aye, Paul Gargiulo - Aye A Motion to close the public hearing was made by Paul Gargiulo, seconded by Paul Symes. All ayes.

27 28

29 30

31

32

33

34 35

36

37

1 2

3

42 New Business

43

44 Sign - Pomo doro, 4-8 Haviland Rd, SBL#96.1-1-14.100, in GC zone.

- 45 The applicant would like a 29 sq. ft. internally illuminated building roof sign.
- The applicant is seeking a use variance (for roof placement) and an area variance of 16 sq. ft. (for the size of the sign).
- 48 Nancy Forrest with Gloede Signs, the applicant's representative, was present for the meeting.
- 49 The Board discussed the square footage of the sign. The principle side of the building, which faces 9W, is 40
- 50 ft. For every three linear feet they are allowed 1 sq. ft. of signage so they are permitted about 13.3 sq. ft. of
- 51 signage.
- 52 Nancy: The sign is an unusual shape; originally we measured from the top to the bottom to create the smallest
- rectangle which is why it originally read 49 sq ft. The sign will have a black background and at night the only
- 54 thing that will light will be the white letters.
- Submitted was a photo of the sign, in which the square footage had been reduced, showing the new measuredarea.
- 57 Nancy: The second variance is for the location of where we are putting that sign.
- 58 Anthony: Lighted signs are permitted; Nancy is here because it is a roof mounted sign. Signs are prohibited
- 59 on roofs. It is a use variance to have the sign placed on the roof and an area variance for the square footage.
- 60 Nancy: We know you do not want the signs on the roof, but the reason we would like to mount it there is
- because this is kind of a sub roof. Behind the sign will be the gable of the building, the sign is not just sitting
- 62 open on the top of the roof. The size of this sign is based on calculations made from 9W, it is not oversized it
- 63 is readable from that distance.
- 64 The Board requested the applicant submit a closer calculation of the actual sign size, which may reduce the 65 area variance request.
- 66 Paul: I know that they cannot get by with a regular conventional sign, it is too far off of the road, no one will 67 ever see it.
- Anthony: A practical difficulty is when you turn down Haviland Rd., with everything that is there it was hard to see the previous sign up in the eave, it was small.
- 70 The ZBA reviewed a positive recommendation from the Planning Board. (See attached)
- A Motion to set the public hearing for January 14, 2016 was made by Tim Marion, seconded by Paul
- 72 Gargiulo. All ayes.
- 73

74 Minutes to Approve

- A Motion to accept the minutes from the November 12, 2015 was made by Tim Marion, seconded by Paul
 Symes.
- 77
- 78 The Board held a discussion mitigating applications.
- 79
- 80 A Motion to adjourn was made by Paul Gargiulo, seconded by Tim Marion. All ayes. 8:00pm