

**ZONING BOARD OF APPEALS MEETING
MAY 7, 2019**

Present: John Czyryca
Zach Kowasz
Bethany Zerbe
Tim Cipolla
Don Roberts
Heather Bellinger
Dennis Murphy
Melissa Henchen
Joe Rebisz

Chairman Czyryca led in the pledge to the flag

Chairman Czyryca called the meeting to order at 6:30 PM

Approval of Previous Minutes:

December 13, 2018: Motion to Approve by Dennis Murphy and seconded by Zach Kowasz, Motion to Approve with All in Favor.

Preliminary Use Variance Review – added to agenda

Application was made by; Adam Gullo for the following: Proposal to expand the building use to put other businesses within the warehouse. The property is located at 21 Dolbeer Street, Perry, New York.

Adam Gullo – Property Owner’s son presented the project

- Looking to add a commercial business with in the warehouse
- Warehouse currently resides in an R2 District – not a Commercial Use building
 - Recommendation to look at other uses along with this business for future uses.
 - Recommending apply for a mix use variance
- Adding to next meeting once all paperwork has been completed and returned back
 - Not all information required on the Site Plan has been entered in.

Area Variance

Pursuant to Article VIII, Section 490-78 of the Zoning Law, notice is hereby given that the Board of Appeals of the Village of Perry will hold a public hearing on: Tuesday, May 7, 2019 at 6:30 PM in the Village Hall, 46 North Main Street in the Village of Perry, County of Wyoming and the State of New York to consider the following:

Application was made by: Mark Givens for the following area variance of Article III Section 490-16 (A) for the following: Proposal for the construction of a: new garage to replace the current garage. Applicant is asking relief from the 5’ minimum distance to property line. The property is located at: 91 Lake St., Perry, NY.

Application was made by: Burt's Lumber for the following area variance of Article VII Section 490-72 (B)(1) for the following: Proposal for the construction of a: new electronic LED sign in front of the main store. The property is located at: 2 Washington blvd., Perry, NY.

John Czyryca opened review for area variance at 6:38 pm

Givens – 91 Lake Street – Garage

- Applicant requesting to tear down an existing garage and rebuild in the same place.
 - Current garage requires an Area Variance from the 5' requirement to left facing house of property line to 1.4'.
 - Applicant sent out and returned proof of 200' mailing list sent to neighbors.
 - Applicant is keeping the garage in line with the current driveway and building slightly wider to expand in the existing yard.
 - Applicant to obtain a building permit from the County

Motion was made by Bethany Zerbe and seconded by Dennis Murphy to rebuild a new garage in the same footprint with the 5' minimum setback reduced to 1.4' from further left facing house and eaves are not to go over property line.

Motion was carried with all voting Aye.

Burt – 2 Washington BLVD – LED sign

- Requesting to put an additional sign.
 - Applicant sent out and returned proof of 200' mailing list sent to neighbors.
- Sign is LED and meets size requirements
- Attached pictures show current signs that do not meet the current sign law according to Section 490-72 C
 - Have to comply to sign law put into effect in 2016 must be complied with by 2022.
 - Allowed 1 temporary sign 4 sq'
 - Allowed 1 sign on legal building 32 sq' face area

Current Sign discussion:

- 14 signs in total
 - Green house – 4 signs
 - Temporary building only out in the summer
 - Propane sign – safety – allowed to keep
 - Front facing sign - allowed
 - Overhead doors when closed – 7 signs, on building 1
 - 1 door has hours which is allowed
 - Signs are looked at as individual signs
 - On building - allowed
 - Side of building – 2 signs
 - Not allowed

Property owner requesting to put up a LED sign

Motion was made by Bethany Zerbe and seconded by Melissa Henchen to approve the additional LED sign with the below Conditions to be met.

Motion was carried with all voting Aye.

Condition #1:

The LED sign will have no rapid changes – 30-60 seconds
Lights are dimmed from Dusk to 11pm
Sign is turned off from 11pm – 5:30am

Condition #2:

50% of all non-conforming signs will need to be removed by the end of May 2020 with the remaining 50% of non-conforming signs to be removed on or before 2022.

Meetings predetermined dates in the future

1st Tuesday of each month at 6:30pm has been approved as the dedicated date and time for the ZBA board to get together each month.

Heather to run the ad in the Perry Herald as such

Motion was made by Zack Kowasz and seconded by Melissa Henchen to adjourn preliminary meeting at 7:50pm.
Motion was carried with all voting aye.

Respectfully submitted,

Heather Bellinger
Zoning Secretary