

TOWN OF CORTLANDVILLE ZONING BOARD OF APPEALS
Public Hearing/ Meeting Minutes - Tuesday, 27 January 2015 – 7 PM
Town Hall Court Room – 3577 Terrace Road – Cortland, NY

Board Members (*absent)

David Plew, Chairman

John Finn

*Thomas Bilodeau

Thomas Aloï

Lenore LeFevre

Others Present

Bruce Weber, Planning/Zoning Officer

Joan E. Fitch, Board Secretary

Applicants & Public Present

Clifford Malzman for Cannon Pools, Applicant.

The Public Hearing was opened at 7 p.m. by Chairman David Plew, who read aloud the Legal Notice as published in the *Cortland Standard* on 16 January 2015, as follows:

Notice is hereby given that a Public Hearing before the Zoning Board of Appeals of the Town of Cortlandville will be held Tuesday, January 27, 2015, at 7 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, in the Town of Cortlandville, New York to consider the following application pursuant to the 1986 Zoning Law:

1. *In the matter of the application of Cannon Pools for property located at 807 NYS Route 13, Tax Map No. 105.08-01-04.000, for a variance in the terms and conditions of Article XVIII, Section 178-111B, to allow for a sign with a height greater than allowed and closer to property lines than allowed.*

The above application is open to inspection at the office of Bruce A. Weber, Planning & Zoning Officer, Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, NY, or call (607) 756-7052 or (607) 423-7490. Persons wishing to appear at such hearing may do so in person, by attorney, or other representative. Communications in writing in relation thereto may be filed with the Board or at such hearing.

David Plew, Chairperson

Zoning Board of Appeals

(Note: Proof of Publication has been placed on file for the record.)

PUBLIC HEARING

Cannon Pools, Applicant/Clifford Malzman, Reputed Owner – 807 NYS Route 13 – TM #105.08-01-04.000 – Sign Variance

Chairman Plew recognized the applicant who explained that he is the owner of the subject parcel which is the new location of Cannon Pools. He was requesting a variance from both the height and the setback requirements for the proposed free-standing sign, as shown on the documentation attached to the application. The sign conforms to the required square footage, and also is allowed to be illuminated.

Mr. Malzman explained that the proposed height of the sign, 12 feet (4 ft. higher than allowed), is needed in order to be visible above the 6-foot high privacy fence surrounding the swimming pool facility, as shown. The sign would be set back ten feet from the property line of Route 13 and five feet back from the north property line. This will be the only sign for this business, he stated.

Mr. Malzman stated that the business to the south of the subject is 16 feet closer to Route 13 than Cannon Pools, so it impedes the view of Cannon from northbound traffic. By allowing a

10-foot setback for the sign, instead of the required 15 feet, would “alleviate this hardship”; and a 10-foot setback from the highway ROW would align with the signage to the north.

Member Tom Aloï asked the owner if he did not realize this problem when he purchased the property; Mr. Malzman commented that he thought about it. Member Aloï then asked if it would be possible to place the sign directly on the building, and Mr. Malzman stated the architecture (A-frame w/glass front) of the building was not conducive to doing so.

Chairman Plew asked if there was anyone from the audience who wished to speak on this variance request; there were none.

**With everyone heard who wished to be heard,
Chairman Plew closed the Public Hearing at 7:12 p.m.**

DISCUSSION/DECISION

The Board members present had no problem with what was being requested.

With no further discussion, **a motion was made by Member Aloï to grant the variance as requested. The motion was seconded by Member Lenore LeFevre, with the vote recorded as follows:**

| | | |
|--------------|-----------------------|--------------------------------|
| Ayes: | Chairman Plew | Nays: |
| | Member Finn | |
| | Member Aloï | Absent: Member Bilodeau |
| | Member LeFevre | |

Motion passed.

This becomes Action #1 of 2015.

APPROVAL OF MINUTES – 30 DECEMBER 2014

A motion was made by Member John Finn to approve the Minutes of the 30 December 2014 Zoning Board of Appeals meeting, as submitted. The motion was seconded by Member LeFevre, with the vote recorded as follows:

| | | |
|--------------|-----------------------|--------------------------------|
| Ayes: | Chairman Plew | Nays: |
| | Member Finn | |
| | Member Aloï | Absent: Member Bilodeau |
| | Member LeFevre | |

Motion passed.

This becomes Action #2 of 2015.

ADJOURNMENT

At 7:15 p.m., on a motion by Member Finn, seconded by Member Aloï, with everyone present voting in the affirmative, the meeting was adjourned.


Joan E. Fitch, Board Secretary

Emailed to KS/KP, Bd. Members, JBF,
BW, DD, TW & DC on 3/11/15.