

TOWN OF CORTLANDVILLE ZONING BOARD OF APPEALS
Public Hearing/Meeting Minutes - Tuesday, 28 November 2017 – 7:00 PM
Town Hall Court Room – 3577 Terrace Road – Cortland, NY

Board Members (*absent)

David Plew, Chairman
John Finn, Acting Chairman
Thomas Bilodeau
Lenore LeFevre
Joanne Aloï

Others Present

Bruce Weber, Planning/Zoning Officer
Joan E. Fitch, Board Secretary

Applicants & Public Present

Bruce Buchanan for Berean Bible Church, Applicant; Sharon Stevans, Videographer.

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 November 2017, 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, November 28, 2017 at 7:00 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 Berean Bible Church, for property located at 726 NYS Route 13, Tax Map No. 105.00-03-11.000, for a variance in the terms and conditions of Article XVIII, Section 178-113, Table 2, Note 2a, to allow for a sign with a height greater 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, New York, 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

Berean Bible Church, Applicant/Reputed Owner – 726 NYS Route 13 – TM #105.00-03-11.000 – Area Variance for Sign Height

Chairman Plew recognized Bruce Buchanan, representing the applicant who was seeking an area variance to erect a 6 ft. by 6 ft. illuminated sign on three-foot legs which would make it at a height of nine feet, one foot over the permitted height. It would be placed on a “dirt island” which would be 12-14 inches. PZO Bruce Weber explained that there were two issues: the island and the proposed height of the sign. The island is actually above adjoining grade, he said, and he considered it as a part of the sign height.

Chairman Plew asked if there was anyone from the public who wished to speak regarding this variance; there was no one.

**With everyone being heard who wished to be heard,
Chairman Plew closed the Public Hearing at 7:04 p.m.**

DISCUSSION/DECISION

At the request of Chairman Plew, Member Joanne Aloï proceeded with the required questions (balancing test) for an area variance; the responses given by the ZBA members, were as follows:

1. Can the benefit be achieved by other means feasible to the applicant?
Finding: No. All Board members present agreed.
2. Would there be an undesirable change in neighborhood character or to nearby property?
Finding: No. All Board members present agreed.
3. Is the requested variance substantial?
Finding: No. All Board Members present agreed.
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?
Finding: No. All Board members present agreed.
5. Has the alleged difficulty been self-created?
Finding: No. The road is higher than the subject property. All Board members present agreed.

At the conclusion of the test, **a motion was made by Member Tom Bilodeau to grant the area variance, as requested. The motion was seconded by Member Aloï, with the vote recorded as follows:**

Ayes:	Chairman Plew	Nays:	None
	Member Finn		
	Member Bilodeau		
	Member Aloï		
	Member LeFevre		

Motion passed.

This becomes Action #28 of 2017.

ADJOURNMENT

At 7:10 p.m., on a motion by Member John Finn, seconded by Member Bilodeau, with everyone present voting in the affirmative, the meeting was adjourned.


Joan E. Fitch, Board Secretary

Emailed to KS, Bd. Members, JBF,
BW, DD, DC, KM on 12/17/17.