

TOWN OF CORTLANDVILLE ZONING BOARD OF APPEALS
Public Hearing/Meeting Minutes - Tuesday, 3 March 2020 - 6:45 PM
Town Hall Court Room - 3577 Terrace Road - Cortland, NY

Board Members (*absent)

John Finn, Chairman
Thomas Bilodeau
Joanne Aloï
Bernice Potter-Masler
Carlos Karam

Others Present

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

Applicants & Public Present

Paul Simonet for Park Outdoor Advertising, Applicant.

The Public Hearing was opened at 6:45 p.m. by Chairman John Finn, who read aloud the Legal Notice as published in the *Cortland Standard* on 20 February 2020, 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, March 3, 2020 at 6:45 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, in the Town of Cortlandville, New York, to consider the following applications pursuant to the 1986 Zoning Law:

1. *In the matter of the application of Park Outdoor Advertising for property located on NYs Route 281 next to the NYSDOT building, Tax Map No. 96.05-01-38.000, for a variance in the terms and conditions of Section 178-111 K, to allow for an animated sign with eight second intervals.*

The above application is on our website at www.cortlandville.org or 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.

John Finn, Chairman
Zoning Board of Appeals

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

PUBLIC HEARING

Park Outdoor Advertising, Applicant/Cortland County IDA, Reputed Owner - NYS Route 281 - TM #96.05-01-38.000 - Animated Sign Interval Change

(At the 2/19/19 meeting of this Board, the applicant was granted a variance for a ten-second time change for this animated sign.)

Chairman Finn noted that there was no representative present to explain the current appeal, which was for an eight-second time change interval for the subject animated sign instead of the previously approved ten-second interval.

**With everyone being heard who wished to be heard,
Chairman Finn closed the Public Hearing at 6:48 p.m.**

DISCUSSION/DECISION

Chairman John Finn explained what had previously happened at the 19 February 2019 appeal which resulted in the applicant being granted a variance for a ten-second time change interval. Member Joanne Aloï commented that, although the interval change was supposed to be ten seconds, the applicant set the interval for eight seconds, a violation noted by the Town's Code Enforcement Officer; it was then changed back to ten seconds. Now, the applicant has decided this is a financial hardship and would like the eight seconds.

The discussion continued with Chairman Finn commenting that it takes 18 seconds from the time the sign is first visible until it is completely passed by a vehicle travelling the speed limit. Member Aloï commented that the animated sign on Tompkins Street by the railroad tracks is set for eight-second intervals. She also thought there was a problem with this current application in that they went against the Board in the first place. Other animated signs were discussed: Family Health Network's and the carpet place on Route 281.

PUBLIC HEARING – CONT'D

At 6:53 p.m., Chairman Finn re-opened the Public Hearing upon the arrival of Paul Simonet, representing the appellant, Park Outdoor Advertising.

Chairman Finn recognized Mr. Simonet who apologized for being late; he thought the public hearing started at 7 p.m. He reported that the requested eight-second interval for an animated sign change is the State standard. There is a 20% loss in revenue per two seconds, he said, and felt the current ten-second interval was a financial hardship for the company.

Chairman Finn asked if there was anyone present from the public who wished to comment on the matter; there was no one.

With everyone being heard who wished to be heard, Chairman Finn closed the Public Hearing at 7 p.m.

DISCUSSION/DECISION – CONT'D

The Board concluded that the Balancing Test was not required for this appeal as the criteria is the same as before.

With no further discussion, a **motion was made by Member Bilodeau to grant the area variance, as requested, for a sign cycle time of eight (8) seconds. The motion was seconded by Member Carlos Karam, with the vote recorded as follows:**

Ayes:	Chairman Finn	Nays:	Member Aloï
	Member Bilodeau		Member Potter-Masler
	Member Karam		

Motion carried.

This becomes Action #5 of 2020.

APPROVAL OF MINUTES

A motion was made by Member Bilodeau to approve the ZBA Minutes of 4 February 2020, as submitted. The motion was seconded by Member Aloï, with the vote recorded as follows:

Ayes:	Chairman Finn	Nays:	None
	Member Bilodeau		
	Member Aloï		
	Member Potter-Masler		
	Member Karam		

Motion carried.

This becomes Action #6 of 2020.

ADJOURNMENT

At 7:05 p.m., on a motion by Member Aloï, seconded by Member Potter-Masler, with everyone present voting in the affirmative, the meeting was adjourned.


Joan E. Fitch, Board Secretary

Draft emailed to KRP, PR, Bd. Members, JD,
BW, DD, DC, KM on 3/6/20.
Approved Minutes on 6/2/20.