

Minutes for the Town of Sennett Zoning Board of Appeals on Thursday, October 28, 2021 at the Town of Sennett Office Building.

Members: Julie Panna, Chair
Marion Cool
Jeffrey Hofmann
Harold Gilfus, Alt.

Bob Edmunds and Dave Sikora are absent

Norman Chirco, Esq.

Julie opens the meeting with the Pledge at 7 p.m. Julie asks if board members received and read the minutes from the last meeting on June 24, 2021. Jeff motions to approve the minutes, Harold seconds, all ayes. Minutes approved.

Julie wants to plan on scheduling the next meeting for a different day as the next meeting would be on Thanksgiving and then December 23rd. The board will work on scheduling a new meeting.

Marion motions to open the public hearing, Jeff seconds.

The first order of business is for Joanne Field, 31 Highland Street Ext. Julie tells Ms. Field that there is nothing to appeal but she would like to give her an opportunity to be heard because the Town Board directed her to come to the ZBA. Ms. Field tells the board that 2 months ago, she asked the Supervisor if fences require a permit, he said no. Jerry VeVone states from the audience that fences do not require permits. Ms. Field says that there is a 6' fence going down her front yard lot. She says that set backs should be 35' and this one is 25'. She says it is a safety issue for her driveway. She passes photos to the board members to look at the fence and property. Julie confirms that the fence is on her neighbor's property; that is correct. Julie says that she doesn't understand how Ms. Field claims this is in her front yard. Ms. Field states that it is 2' from her front yard. Jerry clarifies that structures should be set back 35' from a structure but a fence does not qualify as a structure per zoning code.

Norm informs Ms. Field and board members that there is nothing for this board to appeal and therefore no reason for her to come before the ZBA. Norm suggests that Field asks VeVone to put something in writing for her about the requirements for putting up a fence. If there is something she disagrees with and feels should be appealed, then she has a reason to come before the board. Or she could ask the codes officers to put in writing the reasoning her neighbor didn't have to get a permit and have her opinion heard before putting up the fence, then she would have something to appeal.

Joanne tells the board that there are other problems on her property because of the fence. One example she says is flooding because of the position of the pool and fence on the neighbor's property. Norm encourages Ms. Field again to discuss this matter with codes enforcement and have something in writing to bring to the board for a hearing. Until then, there is no reason for her to come before the ZBA. Julie apologizes to Ms. Field for the misunderstanding that she was directed to come to the ZBA but that there isn't anything this board can help her with at this point.

Next, Rusty Tierney is present to request a sign area variance for his business, National Maintenance Supply located at 7527 County House Rd. They want to put up a couple of signs on their new building. The business name on the front of the building and one on the side of the building with the name and phone number for the business. It is a new building, they need new signs. The side of the building faces Grant Ave. Rusty states that all they were told was there was an issue with the sign. VeVone clarifies that the sign on the front is not a problem, only the one on the side. It is 40' X 7', the code says it can't be larger than 45 ft. Tierney says that in comparison to the rest of the building, the sign is small. Tierney says that he knows of several signs in the same area of Town that are larger than this one he is proposing. Marion states that he can't go by that as an accurate judgment because some of those signs were put in place before the codes were.

Julie says that she understands a sign smaller than this would be hard to see from Grant Ave. It doesn't create any safety or health issues to affect the welfare of the community. Harold asked Tierney if they do on-site sales at this location. They don't, Tierney says. Most of their sales are on the internet, this is more of a

storage facility for them with some offices, the sign would be primarily for advertising. There is minimal traffic at their site.

The board asks for the public to be heard. There is no one present in the room, one person on Zoom comments that they wish for the sign to be approved.

Marion says that she has a little concern because they told someone in the past to remove their sign because of the size of it. Jeff speaks on this concern and states that it was a different circumstance because that building was in a location that was zoned as residential-only. National Maintenance is in a commercially-zoned area. Jeff motions to close the public hearing, Marion seconds, closed.

Julie makes a motion to approve a sign variance of 235 ft.² for the sign on the side of National Maintenance Supply building, Harold seconds, roll call vote: Jeff-Y, Marion-N, Harold-Y, Julie-Y, motion approved.

Next, Mark and Ted Martin are present from Finger Lakes Tire for a sign variance at their new location located at 417 Grant Ave Rd. The sign that they want to put up is their old sign from their York St. location, they just need to move it. It is 32 ft², the zone requires a sign no larger than 25ft². The height of the sign is not a problem, just the size of it. There are no questions or concerns from the board. No one is present from the public.

Julie motions to approve the 7ft² sign variance, Marion seconds, all ayes. Approved.

Old business? None. New business? None.

Julie motions to adjourn at 7:41 PM. Marion seconds. Meeting adjourned.

Respectfully submitted,

Heather Driscoll, ZBA Clerk