

ZONING BOARD MEETING
TUESDAY –JANUARY 25, 2011
ZONING BOARD
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12
BINGHAMTON – NEW YORK – 13901

PRESENT: Donald L. Phillips, Chairman
Messrs. Ruston, Waskie, Doolittle, Kellogg, Grannis

ALSO PRESENT: Donald G. Walls, Esq. - Town Attorney
Thomas Geisenhof, Code Enforcement
Russ Hemedinger, Councilperson

The meeting convened at 7:00 p.m. at which time Mr. Phillips called the meeting to order and welcomed the audience. Mr. Ruston read a statement which explained how the Zoning Board members are appointed, along with the Board's functions, limitations and duties. Mr. Ruston noted that the reading of this statement not only informs the audience about the Zoning Board of Appeals, but it also reminds the Board members of their responsibilities. Mr. Ruston also read the Notices of Publication for each case, which was duly published, as required by law, and as evidenced by Affidavits of Publication received and placed on file.

APPROVAL OF THE MINUTES

- Approval of the November 23, 2010, Zoning Board Meeting.

A motion was made by Mr. Ruston, seconded by Mr. Doolittle to approve the Minutes of the November 23, 2010, Regular Meeting.

ROLL CALL: AYES – 5 NAYS – 0

PUBLIC HEARING

- PRICE CHOPPER – Fred A. Early – Signworks Neon Corp. – 33 Chenango Bridge Rd. – TM#112.22-1-27 – Application for a Use Variance to allow a second pylon sign. Double Area Variance for less than required front yard setback from 15' to 0' & exceeding the amount of signage from 0' to 105'.

This application is being withdrawn as Price Chopper is amending the variance. Mr. Fred A. Early, Signworks Neon Corp. will resubmit. They have requested that the amended variance be placed on the agenda for the February 14, 2011 Planning Board meeting and for the February 22, 2011 Zoning Board meeting (Public Hearing).

Mr. Phillips read the following correspondence.

Broome County Planning has reviewed the case and has not identified any significant countywide impacts.

BMTS finds that there are no concerns regarding traffic impact or site access.

NYSDOT has reviewed the application. The proposed sign structure is very close to the Highway ROW. The sign must be kept outside the ROW. If working in the ROW a Highway Work Permit must be obtained.

Mr. Early asked if he could have a copy of the correspondence that was being read. Mr. Phillips, Chairman, gave Mr. Early his copies.

NEW BUSINESS

- JESSE MCHALE – 23 Trafford Rd. – TM#111.12-2-15 – Application for an Area Variance to construct a three season room with less than required side yard setback from 10’ to 8’.

RECOMMENDATION -

The Ordinance Office finds this application to be complete and would recommend the Board accept and schedule the Public Hearing for February 22, 2011.

A motion was made by Mr. Ruston, seconded by Mr. Waskie, and unanimously carried to accept this application for an Area Variance and schedule a Public Hearing to be held on February 22, 2011, or as soon as the matter may be heard.

ROLL CALL: AYES - 5 NAYS – 0

ADJOURNMENT

There being no further business before the Board, a motion was made by Mr. Waskie, seconded by Mr. Ruston to adjourn the meeting at 7:10 p.m.

Respectfully submitted,

Nancy Schnurbusch,
Recording Secretary

