

PRESENT Norman Machelor, Doreen Albee, Joseph Sorce, Nick Schaefer, Josh Janese, Shannon Fundis

PUBLIC HEARING - Chairman Machelor opened the public hearing at 7:06pm per Article III, Section 2 E of the Subdivision Regulations on the advisability of granting a request to Herbert Richardson to subdivide TM#101.10-2-50; measuring 55ft x 99ft into two lots measuring 40ft x 99ft and 15ft x 99ft. and to add the 15ft x 99ft to TM# 101.10-2-53 into one lot measuring 35ft x 99ft x 35ft x 132ft x 72ft x 132ft x 66ft.

Resident, Jim Olson, submitted a written statement, as he was unable to attend the meeting. Clerk Fundis read the following statement:

“I received a letter just a couple of days ago regarding the issue to come before the board tonight about replotting of lots around the intersection of S. Third and Center streets. As a neighbor to these properties, I feel that I need more information about this proposal in order to solidify my position. However, from what I've heard, the proposal would increase the number of sub-standard lots and would generally complicate things in this neighborhood. Unfortunately, I am not able to attend tonight's meeting, but I wanted to voice my concern that the proposal is not good for the village.”

A discussion ensued between Chairman Machelor and architect, David Giusiana, for the proposed subdivision. Giusiana explained that the intent for this request is to widen the driveway for proper fire access to a prior approved project, as requested by Fire Inspector Beebe. The plan is to add fencing and landscaping along each side of the driveway to make the access more aesthetically pleasing.

Doreen Albee stated that the original size of the lot was already a sub-standard lot.

Josh Janese said this would make an awfully small lot even smaller. You are taking a lot that is already 15% too small and making it 15-20% smaller.

Giusiana said the potential buyer's purchase is contingent upon this subdivision approval.

Joe Sorce said that splitting up this lot makes it unsellable in the future.

Nick Schaeffer said that if the future owner is ok with this, I don't see any issues, and it will make the other property more usable.

The public hearing was called to close at 7:23pm.

CALL TO ORDER Chairman Machelor called the meeting to order at 7:23pm.

MINUTES A motion was made by Doreen Albee seconded by Josh Janese and passed with four yes votes to approve the March 13, 2023 minutes. Nick Schaeffer abstained, due to not being present at the last meeting.

OLD BUSINESS **421 Center - All Dolled Up Sign**  
Chairman Machelor discussed the history of what occurred with the sign for All Dolled Up; we had approved the existing sign, to be retrofit in the existing sign box on the building. However, the vinyl sign was not installed professionally.

All Dolled Up Manager, Megan Wendt, said she took a look at the whole building and at the size of the All State sign to determine the size of the proposed sign. Wendt said my first time trying to find the business; I drove past it two time before I could find it. People do not know we are there. I feel we need something bigger than what would fit in that sign box so people can see us. I have two sized proposed, both of which are smaller than the All State sign. All State's sign is 11.6 SF. Wendt

stated that for the sign to be centered over the two doors, she would need to apply for a variance to place the sign 15 inches from the east side of the building, from the permitted 24 inches.

It was determined based on the allowable square footage of 40 SF for the front of the building that Wendt would be able to place the larger proposed sign of 12 SF.

A motion was made by Josh Janese seconded by Joe Sorce and passed unanimously to approve the proposed 72 in x 24 in wall sign, with a recommendation to the Zoning Board of Appeals to apply for a variance to allow the sign to be placed 15 inches from the east side of the building.

NEW  
BUSINESS

**315 Center Street – Subdivision**

A motion was made by Chairman Machelor and seconded by Nick Schaefer to approve the following subdivision request made by Herbert Richardson - TM#101.10-2-50; measuring 55ft x 99ft into two lots measuring 40ft x 99ft and 15ft x 99ft. and to add the 15ft x 99ft to TM# 101.10-2-53 into one lot measuring 35ft x 99ft x 35ft x 132ft x 72ft x 132ft x 66ft.

Clerk Fundis polled the board, and the motion passed with the following results:

Sorce – No Janese – No Albee – Yes Schaefer – Yes Machelor - Yes

**125 S. 1<sup>st</sup> Street & 65 Center Street – Retaining Wall**

A discussion ensued on the proposed retaining walls to be placed at 125 S. 1<sup>st</sup> Street and 65 Center Street. Doreen Albee mentioned that there is a section in the Village Code that stated this would require signed statements of approval from abutting neighbors for this to be placed on the property line.

Chairman Machelor asked if the fence was proposed three feet in from the property line, if this would require the same approval from abutting neighbors.

A motion was made by Doreen Albee seconded by Nick Schaefer and passed unanimously to table the submission for 125 S. 1<sup>st</sup> Street and 65 Center Street, and request a SEQR upon resubmission. Machelor stated that if these walls are built, it could change the drainage.

**100 S. 3<sup>rd</sup> – Development Plan**

Property owner, David Olin, presented his plans to develop a residential home with two small spaces for businesses on the first floor, adhering to the R-3 Zoning District guidelines as requested by the Zoning Board of Appeals. Olin added that the previously approved variances for the property were factored in, to allow the property to be 13 feet from the rear property line, and stated that he has to apply for an additional variance for a 20-foot front yard setback, to allow the structure to be built to the property line.

Joe Sorce mentioned to Olin that with the property being zoned commercial, a bank most likely would not issue a residential mortgage; this would effect a future buyer if you were to sell this property. I would suggest contacting banks that work with construction to see if they would issue a mortgage.

Chairman Machelor asked what type of business would be on the front lower part of the structure. Olin said it would be for computer consulting.

Josh Janese said this is a tough piece of property to build on.

A motion was made by Josh Janese seconded by Doreen Albee and passed with four yes votes to approve the development plan for 100 S. 3<sup>rd</sup> Street as proposed, with a recommendation to the Zoning Board of Appeals to apply for a variance for a 20-foot front yard setback. Sorce voted no.

DEPUTY Doreen Albee said she would be sending an email to Zoning Officer Candella  
CHAIR about the open wood and wire fencing along the back of Well Now. Part of the  
REPORT approved design included a barrier/privacy fence for the residential properties.

#### DISCUSSION

##### **Code Amendment Proposal - Sandwich Board Signs**

A discussion ensued on the proposed sandwich board sign laws. Janese asked if these signs are required to be taken in every night, if this should include sand bags, or any means of holding the sign down. Janese also suggested this should be approved on a yearly basis, and that the business should be subject to fines if they are not adhering to the guidelines.

Machelor suggested that a special permit be granted for sandwich board signs on an annual basis, and that annually these be reviewed and reissued in the same month every year. Machelor added that insurance should be required upon approval.

Albee said she will add to have the applicant provide insurance for said sign and indicate the location of the placement of the sign upon submission.

Clerk Fundis said that she spoke with alternate, Rick Haight who has been unable to attend thus far, and he recommended that the village contact the Department of Transportation for their feedback before adopting these laws, as the signs would be in the right of way.

##### **453 Center – Gather**

At the March Planning meeting, a comprehensive plan for the façade renovations completed at 453 Center was requested to be submitted at this meeting, but nothing was submitted.

A motion was made by Doreen Albee seconded by Nick Schaefer to continue to add 453 Center on the agenda under Old Business until the matter is resolved.

##### **402 Center – Gallo**

Albee inquired about the notification required by Michael Hibbard to his abutting properties for serving alcohol outdoors.

Fundis stated that she spoke with Hibbard after the last meeting, and he clarified that the NYS Liquor Authority posts this publicly when this type of license is issued.

Albee clarified that the Village Code states a written statement needs to be submitted by the abutting properties granting their approval.

Fundis said she and Hibbard misunderstood and thought the notification had to come from the business; Fundis said she would reiterate this to Hibbard.

ADJOURN A motion was made by Doreen Albee seconded Josh Janese by and passed unanimously to adjourn the meeting at 8:10pm.

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Shannon Fundis, Clerk