

The RACOG Cooperative Zoning Board of Appeals met in regular session on Wednesday, July 14, 2021 at the Town of Champion Municipal Building, 10 North Broad Street, West Carthage. Present were Chairperson Kight, D. Austin, M. Roberts and T. Heagle.

Chairperson Kight called the meeting to order at 7:00pm.. Motion by M. Roberts, seconded by T. Heagle to approve the minutes of June 2, 2021 as presented. Ayes-4, Nays-0. Motion carried.

Proof of notice having been furnished, the public hearing on the area variance for Carthage DG (Dollar General) for property located on NYS Route 3 was called to order at 7:01pm by Chairperson Kight. No one spoke for or objected to the proposal to light the sign internally. The hearing was closed at 7:07pm.

T. Kight recommended a condition that the lit sign be turned off no later that one (1) hour after store closing. Members reviewed area variance criteria.

The following resolution was offered by D. Austin, who moved its approval, and seconded by M. Roberts, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Carthage DG, LLC for a part of parcel number 76.05-1-30 for a variance of T/Champion Zoning Law Article 6, Section 635F;2c and Section635F;1d and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

A. The Board concludes the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.

B. The Board concludes that the benefit sought by the applicant could be achieved by some method, feasible for the applicant to pursue, other than a variance.

C. The Board concludes that the variance is not substantial.

D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.

E. The Board concludes that the alleged difficulty is self-created.

NOW, THEREFORE BE IT RESOLVED that the application from Carthage DG, LLC, part of parcel number 76.05-1-30, for a variance of Article 6; Section 635F;2c and Section 635F;1d of the T/Champion Zoning Law is hereby granted with the following condition:

1. The approved freestanding sign may have internal lights and may operate from store opening until one (1) hour after closing.

The foregoing resolution was duly put to a vote as follows:

T. Kight.....aye
D. Austin.....aye
M. Roberts.....aye
T. Heagle.....aye

Resolution adopted.

Proof of notice having been furnished, the public hearing on the area variance for Francis Runkles for property located at 455 S. James St., Carthage was called to order at 7:08pm. The applicant provided a layout with detailed measurements. No one spoke for or objected to the proposed rear yard setback for the proposed construction of a 32' x 40' pole barn. The applicant provided letters from two (2) adjacent property owners supporting the proposed variance. The hearing was closed at 7:25pm.

Members reviewed and responded to the SEQR for the proposed area variance. Motion by M. Roberts, seconded by D. Austin to make a declaration of negative environmental impact. Ayes-4, Nays-0. Motion carried.

Members questioned whether the applicant could construct a smaller barn. He stated that he needs to house three (3) vehicles and other property maintenance equipment. Members reviewed the schematic for the barn and the driveway layout. The applicant responded to questions regarding snow removal and were assured that snow from the barn roof would not fall onto the neighboring property.

The following resolution was offered by D. Austin, who moved its approval, and seconded by M. Roberts, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Francis Runkles for parcel number 86.41-2-49 for a variance of V/Carthage Zoning Law Schedule II; Lot Dimensions, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concludes the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concludes that the benefit sought by the applicant could be achieved by some method, feasible for the applicant to pursue, other than a variance.

C. The Board concludes that the variance is not substantial.

D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.

E. The Board concludes that the alleged difficulty is self-created.

NOW, THEREFORE BE IT RESOLVED that the application from Francis Runkles, for a variance of Schedule II; Lot Dimensions of the V/Carthage Zoning Law is hereby granted with the condition:

1. The rear yard setback shall not be less than ten feet (10').

The foregoing resolution was duly put to a vote as follows:

T. Kight.....aye
D. Austin.....aye
M. Roberts.....aye
T. Heagle.....aye

Resolution adopted.

Julio Hall presented an application for an area variance for signage at 19 Bridge Street, West Carthage. Mr. Hall will be opening a New England style restaurant/bar. The proposed signage is 30.48sqft. In addition, he seeks to install a digital sign (11.5sqft) under the sign to advertise hours, specials, etc. The digital sign would be non-moving and non-flashing. Total signage requested is approximately 42sqft. V/West Carthage Zoning Law restricts freestanding signs to 24sqft.

Motion by D. Austin, seconded by T. Heagle to schedule a public hearing on the proposed sign for Wednesday, August 4, 2021 at 7:00pm. Ayes-4, Nays-0.

Members reviewed and responded to the SEQR for the proposed area variance. Motion by M. Roberts, seconded by T. Heagle to make a declaration of negative environmental impact. Ayes-4, Nays-0. Motion carried.

Motion by D. Austin, seconded by M. Roberts to adjourn. The meeting adjourned at 7:48pm.

Christina Vargulick

Christina Vargulick
RACOG Cooperative ZBA, Secretary