

**Town of Oswego  
Zoning Board Minutes  
February 17, 2011**

**Chairman:** Gregory Auleta

**Zoning Board Members:** Robert Baker, Debra Jaskula, Tim Anderson, Robert Dexter

**Attorney to the Board:** Kevin Caraccioli

**Secretary:** Noreen Ruttan

Meeting called to order by Chairman Greg Auleta at 7:00PM

Members present – Greg Auleta, Bob Dexter, Bob Baker, Tim Anderson, Kevin Caraccioli, Atny.

Members absent – Deb Jaskula

Motion to accept Agenda as presented – approved.

Motion by Tim Anderson to accept the minutes of the January 20, 2011 meeting.

2nd – Bob Baker. Carried

Greg presented the application of Jackie Waters, 2560 County Route 7, Oswego, NY, for a Variance for the following:

Opening of a new business

Placement of a sign

Lighting

Bob Baker asked if the lighting would be photo-cell.

Greg Auleta – yes.

Secretary stated that a letter from Marty Weiss, County Dept. of Planning and Tourism, had been received. The County declined application because there is no indication of hardship or extenuating circumstances. (letter attached).

Greg Auleta question on the SEQR presented. Question #8, not answered correctly. For the record Applicant changed and initialed answer.

Bob Baker questioned the response from the County.

Greg A. stated that there is nothing that is proposed that has any impact on the County regulations.

Kevin stated that in relation to the variance, if it doesn't identify a hardship then they (County) are not going to go looking for the hardship.

**Public Hearing** opened at 7:10PM by Greg Auleta. Application received to develop property at 2560 County Route 7 for a Beauty Salon.

Mr. Waters stated that the lot next door is empty. They plan to construct either a 24' x 24' or 24' x 28' structure, with driveway, parking for five (5), with turn-around, or circular. The structure will include septic and public water. A small gas furnace or gas fireplace will be installed.

Greg A. questioned the signage to be in front of building.

Mr. Waters stated he will be talking to Wayne Newton, CEO in relation to the sign. Presently, planning a 4' x 5' wooden sign with trim, ground lighting shining upwards.

Noted that there are no neighbors preset, either for or against project.

Greg A. stated that according to the Code R-3 does not allow projecting signage. Neither window,

illuminated, canopy signage is not allowed.

Bob Dexter asked how many operators will be working.

Jackie Waters stated only herself, at this time, with possibility of one other person down the road.

Greg A. stated that if the Variance is approved and she stops working the variance does not transfer to a new owner.

Kevin stated the Variance Requirements:

Applicant must realize a reasonable return.

Applicant has not tried to develop property before. Property already owned, paid for, family expanding, feasibly better for owners.

Other business in area. Will variance alter neighborhood.

Has hardship been self created – no.

Mr. Waters stated the building will blend with the neighborhood.

Greg A. asked if the Board is in agreement on no hardship. All answered yes.

Greg suggested the Applicant consider a 4' x 4' sign.

Noted that neighbors had been notified of the Public Hearing either by mail or in person.

Mr. Waters – yes.

Motion to grant Use Variance, 2011-3 by Tim Anderson, for the construction of a new facility for a hair salon at 2560 County Route 7. The Board has reviewed the Application in terms of the criteria for a Use Variance as per the Zoning Regulations, Article IV, E(1).

Noted, Use Variance is contingent upon Planning Board approval of the Site Plan and any other relevant regulations.

Noted by Secretary that property has the same address as Waters' adjoining property. .  
2nd – Bob Dexter. Carried

Greg Auleta – yes

Tim Anderson – yes

Bob Dexter – yes

Bob Baker – yes

Deb Jaskula – absent

Greg A. stated that to grant the Signage Variance, it must be in accordance with the Zoning Regulations.

Tim A. stated the setback is 15'.

Motion by Greg Auleta that the ZBA grant the Applicant a Variance on the sign regulations which do not allow erection of any signs in an R-3 District in the Sign Appendix of the Zoning Regulations. We will grant a Variance for a 5' x 4' sign to be placed in accordance with the Zoning Appendix for a sign application previously filled out with limited ground, electric, lighting.

Applicant stated Wayne did not go over the sign application.

Greg A stated that the Variance would be granted contingent on the signed application form.

2nd – Bob Dexter. Carried

Greg Auleta – yes

Tim Anderson – yes

Bob Dexter – yes

Bob Baker – yes  
Deb Jaskula – absent

Kevin, for the record, does Applicant have a relative employed by the Town?

Applicant – no.

Kevin – that closes issue.

Greg A. stated SEQR, question #8, change to "no." Applicant has filled out a short SEQR and Board has not found any other issues associated with the form.

Kevin stated that the Board must agree on a Negative Declaration. Board agreed.

Greg A. directed the applicant to the Planning Board, Use Variance has been granted.

**Old Business**

Bob Dexter asked what was going on with the United Group housing project.

Kevin explained the lawsuit involving United Group. That they have resubmitted their Applicant and are again going before the Planning Board for a Public Hearing on Monday, February 21, 2011.

**New Business** – none

Motion to adjourn meeting at 7:45PM by Tim Anderson.  
2nd – Bob Dexter. Carried

Respectfully submitted by:

Noreen Ruttan, Secretary  
Teresa M. Botting, Interim Secretary