

January 19, 2006
Zoning Board of Appeals Minutes
Oswego Town Hall

Chairman: Greg Auleta
Board Members: Robert Baker, Timothy Anderson,
Patty Blackwell, Debra Jaskula
Attorney to the Board: Kevin Caraccioli

Call To Order:

At approximately 7:00 PM, Greg Auleta, Chairman of the Zoning Board of Appeals called the meeting to order.

Attendance:

Those in attendance were:

Greg Auleta, Chairman

Robert Baker, Member

Timothy Anderson, Member

Debra Jaskula, Member

Graham Seiter, Legal Advisor (appeared for Kevin Caraccioli)

Marjorie Best, Secretary

Absent was:

Patty Blackwell, Member

Acceptance of Agenda:

Tim Anderson made a motion that the Agenda be accepted. Bob Baker seconded the motion. All ayes. Motion carried.

Approval of November 17, 2005 Minutes:

There were no questions or corrections on the Minutes of November 17, 2005, so Deb Jaskula made a motion we approve the minutes. Tim Anderson seconded the motion. All ayes. Motion carried.

New Business:

Greg stated since this is the Organizational Meeting for 2006, we should go over the list of meeting dates and times. All seemed to be in agreement.

Also being an Organization Meeting, a Chairman should be appointed. Tim Anderson nominated Greg Auleta for re-appointment. Tim Anderson made a motion, that Greg Auleta be re-appointed as Chairman. Deb Jaskula seconded the motion. All ayes. Motion carried.

Greg thanked the members and said he is looking forward to continuing as Chairman.

Tim Anderson nominated Bob Baker as Deputy Chairman. Tim made a motion that Bob Baker be re-appointed as Deputy Chairman. Deb Jaskula seconded the motion. All ayes. Motion carried.

Greg stated that Patty Blackwell plans to write a letter of resignation, as she has family

commitments and can no longer serve on the Board.

He also said we should look for a new member. Perhaps someone may know of someone interested, or perhaps Vicky may know someone. He stated we should have an additional member or alternate.

Old Business:

Application #2005-09 - Trygve Stout - Area Variance:

Greg brought up Application #2005-09 - Trygve and Beatrice Stout for an Area Variance and Sign Permit. Marjorie Best, Secretary received a letter from the County Planning Board, and he quoted the last sentence - "Oswego County Department of Planning staff have reviewed the submittal and the Director of Planning and Community Development has determined that no significant county impact is involved; therefore, this should be decided as a local issue".

Greg asked Graham Seiter if Kevin had gone over this matter with him. Graham stated that Kevin did, and that he made a recommendation for approval.

Bob Baker questioned about the Site Plan going before the Planning Board. Greg said his and Kevin's interpretation is that Area Variances and Sign Permits be approved by the Zoning Board after the CEO denies the application. We are an appeals board. The regulations are somewhat sketchy.

Greg stated the members really grilled Mr. Stout on November 17th, and covered all concerns, and this is why we are completing the process in Mr. Stout's absence, as he is on a business trip in Canada.

On the Sign Permit, it states a 50 square feet sign, then it is crossed out, and put 75 feet. Yet in the "Total" line, it states 50 square feet. The dimensions of the sign are 5 feet by 10 feet, and 5 feet high, which would be 50 square feet. Deb Jaskula asked "What if he just put the sign up?" Greg said it would be political will. Deb said she feels it is a good idea for the sign, as it would encourage business in the Town.

Greg wants to put in the record, as he has in the past, that the signage regulations of the Town are inadequate, especially for business men and woman who would like to advertise their business.

Greg said he needs a motion to approve the Area Variance to include the distinction in the variance requested. Tim Anderson made a motion that we approve Application #2005-09 - Trygve Stout, an Area Variance of 48 feet. Deb Jaskula seconded the motion. All ayes. Motion carried.

Public Comment:

No one from the public attended.

Open Board Discussion:

Greg said he has a couple of items he wants to discuss. He asked the members if they had a chance to look at the correspondence between he and Wayne Newton. It is regarding an attached garage fitting into an accessory building category. This would be Article III, Section B, 1 - Exceptions & Modifications. Again, he brought up the problems of the wording of the regulations. He stated he wrote to Wayne and said he is ruling that it would be inappropriate to provide an interpretation of the applicability of this exception outside the standard appeals

process. He also stated he did not wish to rule himself, that the full Board should review the matter. He also told Wayne that the resident must apply for a Variance in accordance with our existing procedures. He also said Kevin and Graham should look into the interpretation. Residential R-4 states a 30 foot side yard set back. Graham said if he wants to build an attached garage, it is part of the main building, not an accessory building, which would be a 30 foot setback.

Bob Baker questioned porches and decks - would they be accessory buildings? Greg said once we get the regulations all revised, hopefully the definitions will be more clear.

Revision of Zoning Regulations is listed on the Agenda, but we are not going to discuss any more at the present time. He said for a while, he, Judy Watson, and Brian Frazier were meeting weekly, but things are at a stand still now, as there is a problem with the County Planning Board. Greg said he would like to meet with Vicky and Theresa and see what we can do with the revisions so far. There are several items that are not listed in the regulations, for example, no distinction between educational - school - college, etc. Tim mentioned that there isn't anything in the regulations regarding erosion control.

Greg said he would like someone to make a motion that he would draft a letter to the Town Board, and would send a copy to everyone. Tim Anderson made the motion, and Bob Baker seconded the motion. All ayes. Motion carried.

Greg said there is one more topic he would like to discuss during Open Board Discussion, but we will do it after adjournment, and that is the material Kevin received on the Dickquist matter.

At approximately 8:00 PM, Bob Baker made a motion to adjourn the meeting. Deb Jaskula seconded the motion. All ayes. Motion carried.

Respectfully submitted,

Marjorie Best
ZBA Secretary