

VILLAGE OF WATKINS GLEN
ZONING BOARD OF APPEALS
MINUTES
April 20, 2017

A meeting of the Watkins Glen Zoning Board of Appeals was held on Thursday, April 20, 2017 in the conference room of the Municipal Building. Present were: Mark Stephany, Robert Lee, Kathy Fragola (via Skype), and William Pylypciw. Also present was Paul Marcellus, Tamra Jankowski and recording Secretary Naomi C. Kingsley.

Mark Stephany called the meeting to order at 7:20 pm and led those present in the Pledge of Allegiance.

Bob made a motion to accept the minutes of the September 22, 2016 meeting. Bill seconded the motion. All were in favor.

Application 2017-01 – Use Variance from Paul Marcellus, Colonial Inn & Motel, 701 N. Franklin Street for Signage.

Paul explained that this is his 20th year in operation. Since he purchased a home elsewhere the living quarters of the motel were turned into an Ice Cream shop. He estimates 70,000 people drive passed his business to visit the State Park and don't realize that he has the ice cream shop. He believes an electronic sign would help draw the customers in. The sign would not flash, there would not be any bright lights, and it would be in good taste. Mark stated that Paul had checked the incorrect type of variance, he should be asking for an Area variance and not a Use variance. Paul requested to amend the application to an area variance. The application also did not include the section(s) of the Zoning Law that Paul was requesting relief from. Mark stated that it should be relief from Article 9, Section 9.7, Subsections H and M-5. When asked about the size of the sign, Paul stated that the bottom of the sign would be approximately 5' off the ground; the lighted portion itself would be 20" high and then on top of that would be a sign that says Colonial Creamery approximately 1' high so the overall height of the sign would be around 8 feet. The lighted portion would be similar to what they have at Watkins Glen Plumbing and Heating. Mark explained that the application is incomplete. Paul needs to provide the board with a design of the sign with dimensions and placement. Mark also stated that Paul's previous application was denied and it doesn't look like anything has changed since that application was made. Paul stated the last application was for clarification of the zoning law. Paul is looking for approval in concept, not necessarily design; he was not planning to purchase the sign any time soon. Mark stated that Paul could ask for a vote now, which would most likely be a denial, or he could withdraw his application and come back at a later date with a more detailed application. Paul withdrew his application. Mark requested the minutes reflect that the application is withdrawn without prejudice.

Application 2017-02 – Area Variance from Tamra Jankowski, 128 S. Monroe Street for an 8' x 20' deck

Tamra stated that she purchased the property in 2012 and it was in quite a state of disrepair. She and her daughter renovated it and now it's time to take care of the landscape. Her property is

only 50' across so she is trying to make the best use of the space, improve the lot and have room for some cottage style gardens. She would like to build an 8' x 20' deck but when she staked it out it is actually 10' x 19' and originally she was asking for a 5' variance but after talking with the neighbor she would like to change it to a 4' variance placing the deck two feet off the property line instead of the 1 foot originally requested. Application was amended. Both properties on either side of hers are empty lots but she did obtain letters from the property owners stating they did not object to her request. Mark stated that while that is nice to have, it is not required because the meeting was published in the legal notices and if any neighbor objected they should be present at the meeting. Mark asked if there were any rights-of-way through the property. Tamra stated no. Bob asked if she had check regarding utilities and she responded that they were all marked out according to Dig Safely regulations. Mark went over the 5 questions that are required. Bill made a motion to approve the application. Bob seconded the motion. All were in favor. Motion carried unanimously.

Application 2017-03 – Area Variance from Tamra Jankowski, 128 S. Monroe Street for an 8' x 15' shed

Tamra would like to purchase a Wood-Tex shed and place it 1 foot from the property line. The zoning law requires a 3 foot setback. Wood-Tex states that the actual dimensions of the shed are 7' 6" x 15' 11". The shed will have to be built on site and would not be considered permanent in nature. It will be on a concrete pad. Mark asked if she would run utilities to it. Tamra answered that she didn't plan on running water and electric to it but maybe the installation of a solar panel for a solar light. Tamra stated that the reason she chose this spot for the shed is that it is in a sunnier part of the yard so it will not be exposed to as much moisture as the rest of the property. Mark review the 5 questions required. Bob made a motion at approve the application. Bill seconded the motion. All were in favor, motion carried unanimously.

There being no further business Bob made the motion to adjourn. Bill seconded the motion. All were in favor, motion carried. Meeting adjourned at 8:35 pm.

Respectfully submitted
Naomi C. Kingsley
Acting secretary