

5. New Business:

Remote attendance by the applicant:

There was discussion regarding the board offering an applicant the option of remote meeting attendance. The municipalities do not currently have the technology to offer attendance via video conferencing; the board determined that teleconferencing would be an acceptable option. However, by not attending, the applicant risks having the application tabled if there is insufficient information to determine the application complete. The board members present chose to accept remote attendance via teleconference if an applicant or its representative requests remote attendance and if travel would be 100 miles or more. If in the future, the municipalities obtain the technology to offer video conferencing, this would also be acceptable.

6. Adjournment

A MOTION was made by Rachel to adjourn the meeting. The motion was seconded by Carla. All members present in favor. Motion carried. The meeting was adjourned at 6:44 p.m.

Submitted by,



Katharine B. Manning
May 25, 2023

Note: These minutes have been transcribed from a recording. The minutes are not a verbatim, quoted version they are rather a documentation of the meeting with motions and resolutions included.

**Town and Village of Lowville
Zoning Board of Appeals**

5533 Bostwick Street
Lowville, New York 13367
(315) 376-8070 ext. 6

COPY

**RESOLUTION
ZV2023-1
212.16-04-09.100**

At a regular meeting of the Town/Village Zoning Board of Appeals of the Town/Village of Lowville, Lewis County, New York, held at the Town Offices, in said Town, on the 24th day of May, 2023. The meeting was called to order by

Rachel Hillegas and upon roll being called, the following were:

PRESENT:

Linda Lawton Rachel Hillegas Joseph Zehr Carla Hellinger
Selina Olmstead, Alt

ABSENT:

Joseph Zehr

The following resolution was offered by Board Member Carla, who moved its adoption, seconded by Board Member Linda, to wit:

WHEREAS, the Zoning Board of Appeals of the Town of Lowville has received an application from MSF Audubon, LLC for approval of an area **variance** to permit **installation of a sign panel to an existing freestanding sign that will increase the size from 80 square feet to 97 square feet, 4 inches** and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application (and Environmental Assessment Form, if required), held a public hearing and received comments thereat, and

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

A. The requested variance (will/will not) create an undesirable change in the character of the neighborhood or detriment to nearby properties in that: The footprint of the sign will not change and adding another 2' sign cabinet to the base of the sign, as requested, will create little noticeable change to the size of the sign.

B. The benefits sought by the applicant (can/cannot) be achieved by any other feasible method because: An additional sign panel is needed for the new Marshalls store – adding a 2' x 2' x 8' sign cabinet to the bottom of the existing sign is the simplest and most cost-effective way to ensure all the merchants are represented on the sign, and it will create the least visible change to the neighborhood.

C. The requested variance (is/is not) substantial in that: It will not change the footprint of the existing sign nor will it significantly change the appearance of the sign.

D. The proposed variance (will/will not) have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district because: no ground disturbance is likely to occur during the construction of the sign cabinet, nor will the addition to the sign change runoff or any other environmental factor. Little noticeable change will occur to the sign itself, other than showing a new merchant.

and

E. The alleged difficulty (was/was not) self-created because it would be possible to change the entire layout of the sign to accommodate all the merchants without changing the overall size of the sign, thus avoiding the need for a variance. However, the requested variance is not substantial, it makes the best use of resources, it will create less visual change than an entirely new sign, and it will not have a negative impact on the property or the neighborhood.

NOW, THEREFORE, BE IT RESOLVED that application ZV2023-1 submitted by MSF Audubon, LLC for approval of an area variance in the Town/Village of Lowville is hereby (GRANTED/DENIED/GRANTED WITH CONDITIONS) for the reasons stated above. Conditions placed will be provided below.

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

Linda Lawton Y N R A

Joe Zehr Y N R A

Rachel Hillegas Y N R A

Selina Olmstead, Alt Y N R A

Carla Hellinger Y N R A

Y – Yes; N – No; R – Recusal; A - Absent

Date: May 24, 2023
Lowville, New York

BY ORDER OF THE ZONING BOARD
OF APPEALS OF THE TOWN OF
LOWVILLE

Rachel A Hillegas
Signature

Conditions:

1. This variance applies only to this structure/project. Any subsequent structures/projects including an addition to or replacement of this structure/project will require additional approval.

