

**Zoning Board of Appeals
Meeting Minutes
One Court Plaza
January 27, 2025**

Present: A. Coates, K. Kucinski, B. McCracken, D. DuFour, A. Perry

Alternates:

Absent: B. Natoli, H. Paul

Staff: Amy Donnison

I. Call to Order

Chairman A. Coates called the meeting to order at 7:01 PM. Chairman A. Coates stated that the Zoning Board of Appeals is made up of volunteer members. In order to approve a request, 4 yes votes are required. The ZBA has up to 62 days to make a decision. All evidence must be presented during the hearing, don't assume the board knows anything. The ZBA does not write nor can it change the Zoning or Sign Ordinance requirements. The Common Council has the authority to change the Zoning and Sign Ordinance requirements. In the granting or denying of variances and special permits, the ZBA must substantiate the reasons for such granting or denial. A decision by the ZBA may be appealed to the court by filing an Article 78 appeal. There are 2 cases before the Zoning Board this evening: a sign variance and a area variance request. A 3rd case was scheduled but has been pulled to be heard at a later date.

II. Public Hearing: Bible Baptist Church, 23 Birdsall Street.

The public hearing was opened at 7:05 PM. The following exhibits were entered into evidence:

1. Application from Richard Towndrow dated 11/18/2024
2. Community Development report dated 1/22/2025
3. Photographs of property
4. Photos of proposed new signage
5. Copy of tax map of property - current
6. No phone calls received in opposition or support.
7. No letters received in opposition or support.
8. Public Hearing Notice (mailed by the City to all property owners within 500 feet of the applicant).

A. Donnison read the Community Development report and noted that there were no phone calls or letters received in opposition nor in support of the proposal.

R. Towndrow stated that the church is trying to improve the appearance and increase interest in the church. Current existing changeable copy signage is falling apart. K. Kucinski asked why it couldn't be repaired. R. Towndrow stated that it would cost more to repair than to replace. K. Kucinski asked what would the benefits of a new sign be. R. Towndrow stated it would be easier to change notices on the board as well as safer than being on icy sidewalks with a ladder doing so. K. Kucinski asked if the new sign would be more informative. R. Towndrow stated yes as it will also be able to be updated more frequently.

B. McCracken asked if the sign would be compatible with the neighborhood. R. Towndrow stated it would be replacing a sign that has become an eye sore and there are multiple commercial businesses nearby. No residential homes across the street. B. McCracken asked if it would be lit for 24 hours. R. Towndrow stated the proposed signage has an option of dimming for certain hours or to be turned off.

A. Perry asked if there was any additional night lighting for the sign. R. Towndrow stated no.

A. Coates noted that several other churches have come before the board for changeable copy signs but wished to point out that each request is reviewed on a case by case basis.

R. Barnes stated he owns the house next door and stated that they take good care of the building and agrees that a new sign will be much safer than changing the manual copy sign. R. Barnes supports the proposal, and it will help light up the general area which in this neighborhood can be helpful.

Chairman A. Coates asked if anyone present had any further questions or comments. There were none. The public hearing was closed at 7:25 pm.

III. Findings & Determinations for Bible Baptist Church re: 23 Birdsall Street

- Additional lighting in the area would be helpful since it is across from a large parking lot.
- The proposed new signage is 13 square feet smaller than existing changeable copy sign.
- Existing manual copy sign is 39 square feet – proposed new sign is 26 square feet.
- Sign will be located in the same area as the current sign is in.
- The surrounding neighborhood is primarily commercial.

- There has been no opposition to the proposal.
- There has been support for the proposal.
- The parcel is located in a R-2 zone.
- The proposed new signage does not appear that it will change the character of the neighborhood.

Motion made by A. Coates, to approve the request for the Sign Variance as proposed. Seconded by K. Kucinski.

Motion Approved: 5 ayes; 0 nay.

Ayes – A. Coates, K. Kucinski, B. McCracken, D. DuFour, A. Perry

III. Public Hearing: Karen Mallozzi, 8 Maple Street.

The public hearing was opened at 7:34 PM. The following exhibits were entered into evidence:

9. Application from Karen Mallozzi dated 12/17/2024
10. Community Development report dated 1/22/2025
11. Photographs of property
12. Sketch pf proposed new porch w/roof
13. Copy of tax map of property - current
14. No phone calls received in opposition or support.
15. No letters received in opposition or support.
16. Public Hearing Notice (mailed by the City to all property owners within 500 feet of the applicant).

A. Donnison read the Community Development report and noted that there had been no phone calls or letters received in opposition nor in support to the proposal.

The applicant for unknown reasons was unable to attend the hearing tonight.

K. Kucinski believed they could move forward on this request without the owner. K. Kucinski stated that this was really a balancing test as the request was not substantial and that they should be able to make a decision based on the information provided.

Findings & Determinations for Karen Mallozzi re: 8 Maple Street

- Property is in a R-2 zone which requires a 20 foot street setback. Applicant is asking for a 16'6" setback.

- Current porch is only a slab and steps – applicant wants a covered front porch so she can sit out on it.
- Proposed porch is no closer to the street than any other structure on the street.
- Proposed porch would be 16 feet 6 inches from the curb.
- Steps of proposed porch would be 14 feet from the curb.
- Proposed deck would be Trek decking.
- There would be no undesirable change in the character of the neighborhood.
- There is no other way to achieve the request.
- The request is not substantial.
- Proposed porch will not have an adverse effect on the environmental conditions of the neighborhood.
- The alleged difficulty is self created.
- There has been no opposition nor support received for the proposal.
- The surrounding neighborhood is primarily residential with commercial nearby.

Motion made by K. Kucinski, to approve the request with the condition that it does not come closer than 12 feet from the sidewalk for the area variance as proposed. Seconded by D. DuFour.

Motion Approved: 5 ayes; 0 nay.

Ayes – A. Coates, K. Kucinski, B. McCracken, D. DuFour, A. Perry

V Adjournment:

There being no further discussion, the meeting was adjourned at 7:51 pm on a motion made by K. Kucinski. Seconded by A. Coates. Ayes All. Carried.