

Village of Canton Zoning Board of Appeals

Meeting Minutes

January 25, 2023

Boardroom, Canton Municipal Building

7:00pm

Members Present

Chairperson Conrad Stuntz; Caitlin Gollinger; Andy Whittier (alternate); Mike Snow (via Zoom); Pete Beekman
Recording Secretary Jeni Reed

Members Absent

None

Others Present

Code Enforcement Officer Tim Nolan; Paul Redfern (SLU); Bethany Bernatovicz

Public Hearing

Chairperson Conrad Stuntz called the public hearing to order at 7:03 pm by explaining the process of the public hearing and introductions of the Board.

The Code Enforcement Officer Tim Nolan was invited to discuss the application and why it was denied:

The application for a sign permit at 54 Park Street was denied due to non-conforming to code, specifically section 325.67. The issue is the area of the sign. The proposed sign submitted with the plans is 48 inches wide by 72 inches tall, which is well beyond the maximum 12 square feet permitted in the district.

The applicant, St Lawrence University, was called on to explain their application for the appeal of the Code Enforcement Officer's decision on their original permit application:

Paul Redfern from SLU (Vice President for Communications & Institutional Strategy) explained that the sign proposal is part of a comprehensive effort to provide visitors to campus with better signage and wayfinding. This specific sign would be located as visitors come down the University to Park Street, where there is currently nothing to tell people to turn left for access to certain parts of the University. The new signs have received positive feedback from those consulted. Most of the proposed and installed signs are taller than this one, which has been shortened to 6 feet tall instead of 8 feet tall to fit the residential area; however it still needs to be high enough to be seen over a snowbank so people can tell where to go. The Planning Board had asked for photos from the neighboring properties, which were provided. The University wants to be a good partner in the community, and this proposal is just to get visitors where they need to go.

Chairperson Conrad Stuntz then presented the public the opportunity for open discussion of the request:

No public was in attendance at the meeting; it was noted that one neighbor reached out to the Code Enforcement Officer with questions, but the tenor of that email was curiosity and did not appear to be for or against the proposed sign.

Bethany Bernatovicz (employee of the company designing and installing the sign) noted that the proposed sign was reduced by 2 feet in height, with considerations and changes made due to snow concerns and wanting to make sure it was legible for the public.

Board member Andy Whittier noted that some signs are on posts locally, which would decrease the overall size of the proposed sign; but the University noted that they want to maintain consistency in design with other signs on campus.

As there were no additional questions or public comment, the public hearing was closed at 7:15pm by Chairperson Stuntz.

Call to Order

The meeting of the Village Zoning Board of Appeals was called to order at 7:15pm by Chairperson Conrad Stuntz.

Agenda Items

1. Discussion of area variance for a sign at 54 Park Street, Canton

- Chairperson Stuntz explained the process of the area variance and the five questions required of all ZBA boards in New York State. The final vote determines if the board feels that any benefit gained by granting the area variance would outweigh any detriment created. He also noted that for an area variance, the application can fail one of the questions and still be passed if the benefit outweighs the detriment.
- Five Questions:
 - Would the variance create an undesirable change in the neighborhood?
 - Discussions centered around the need for the sign, and that this appears to be a reasonable request.
 - General agreement was that there would not be an undesirable change in the neighborhood if this variance were granted.
 - Would the benefit sought by the applicant be achieved by a feasible alternative to the variance?
 - It was determined that there does not appear to be a feasible alternative.
 - Is the variance requested substantial?
 - The question was posed “what is substantial?”
 - a. It was noted that the Code allows up to 12 square feet of sign area, and the application is for 24 square feet which is a 100% increase. Board member Caitlin Gollinger noted that this feels substantial, but not necessarily in the context of a bigger plan.
 - Would the variance have an adverse impact on the environmental conditions or physical conditions of the neighborhood?
 - It was determined by the board that there would be no real environmental impact imposed by this request.
 - Is the alleged difficulty self-created?
 - It was determined by the board that the specific difficulty was not self created in this situation.
- Noted by chairperson Stuntz:
 - Overall, this proposal does not have a massive impact on the neighborhood or its environment.
 - Asking if the sign could be made smaller, it was noted that decreasing the width would limit the space for words, or drop the bottom of the sign below snowbank height.

- It was asked if this would have been handled differently under the prior code? This was not specifically resolved.
- Options at this time for the Board are as follows: the Board can table the discussion and vote later; the Board can vote now and determine if conditions should be placed or not, or the Board can deny the variance. They have 60 days from today by law to make the decision.
 - The Board members indicate they do not feel they need more information, and is generally good to proceed.
- At this time the board took a vote regarding the five conditions and if the overall benefit of the variance would outweigh the detriment (aye vote approves the variance; nay vote denies the variance):
- Caitlin Gollinger made a motion that the benefit to the applicant outweighs the detriment to the neighborhood; the motion was seconded by Pete Beekman. A roll call vote was taken and the results were as follows:
 - Mike Snow - aye
 - Caitlin Gollinger - aye
 - Pete Beekman - aye
 - NOTE: Andy does not vote as an alternate when there is a quorum in attendance

Based on the vote, the variance passes with no conditions added by the board, and a 24 square foot sign is approved with appropriate setbacks as required by code.

It was noted that Code Enforcement Officer Tim Nolan will generate a permit based on the decision written up by Chairperson Stuntz.

Other Items

No other items were addressed at this time.

Adjournment

The meeting was adjourned by Chairperson Conrad Stuntz at 7:44pm.

Respectfully Submitted,
January 30, 2023
Recording Secretary Jeni Reed