

VILLAGE OF MANLIUS
ZONING BOARD OF APPEALS
MEETING

January 4, 2010

Members Present: Francis Marlowe, Chair; Nancy Pfeiffer, Barbara-Ann Serafin.

Others Present: Fred Marty, Attorney for the Board; Diane Ilacqua, Secretary for the Board; Trustee Scott McGrew, E. Aliasso, Maureen Pierret.

Meeting was called to order at 7:02 p.m. and the Pledge of Allegiance was recited.

Motion made by Mrs. Serafin, seconded by Mrs. Pfeiffer, to approve the minutes of December 7, 2009. All in favor. Motion carried.

Motion made by Mrs. Pfeiffer, seconded by Mrs. Serafin, to waive the reading of the Public Notice. All in favor. Motion carried.

Motion made by Mrs. Serafin, seconded by Mrs. Pfeiffer, to open the Public Hearing at 7:03 p.m.

Appeal #2010-1
Elizabeth & John Aliasso
301 Fayette St. - #023-01-05.1

Mrs. Aliasso addressed the Board regarding their request for a second sign, to be attached to the side of their building. Chairman Marlowe read the letters of positive recommendation from the Planning Board.

Motion made by Mrs. Pfeiffer, seconded by Mrs. Serafin, to close the Public Hearing at 7:05 p.m.

After discussion, the Board made the following Resolution:

**RESOLUTION NO. 2010-1
OF THE
ZONING BOARD OF APPEALS
OF THE
VILLAGE OF MANLIUS**

Aliasso's of Fayetteville LLC d/b/a the Saucy Swan restaurant with an office at 301 Fayette Street, Manlius, NY 13104 seeks an area variance from Section 99-25 C.(2)(a)(1) of the Village of Manlius Code related to its sign application for a second sign. The property is located at 301 Fayette Street, Manlius, NY 13104 in a Commercial District and is identified as Tax Map parcel 023-01-05.1. Applicant proposes to add a second sign to the building on the parcel and the Village Code does not allow a second sign. The Village Planning Board has reviewed applicant's sign proposal and has recommended approval.

Mrs. Aliasso spoke in favor of the application. She described the plan and the circumstances under which the sign is to be constructed.

In support of the applicant, applicant submitted an Application for Variance and various narrative and graphic representations describing the sign.

Based on the foregoing, the Board resolves as follows:

1. This matter is Type II under SEQR as it involves an area variance.
2. It is determined the requested variance will not produce any undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. The proposed sign will be located along the north side of the building in a location that will not result in significant change in visual aesthetics. In order to serve its intended purpose there are no other feasible methods to pursue other than the area variance so that the sign can be located consistent with the site. The proposed variance will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. Neighbors express no objection to the variance. The benefit to

applicant outweighs any detriment to the neighborhood or community as a result of granting the variance.

3. A variance is granted to allow for the location of a second sign measuring no more than 13 inches high and five feet long located on the north side of the structure and subject to the terms and conditions of the Planning Board recommendation dated December 15, 2009 which by reference is incorporated into this resolution.

Dated: January 4, 2010

| | Aye | Nay | Other |
|---------------------|--------------|-------------|---------------|
| Richard Bilharz | <u> </u> | <u> </u> | <u>Absent</u> |
| Francis Marlowe | <u> X </u> | <u> </u> | <u> </u> |
| Brian Mullett | <u> </u> | <u> </u> | <u>Absent</u> |
| Barbara Ann Serafin | <u> X </u> | <u> </u> | <u> </u> |
| Nancy Pfeiffer | <u> X </u> | <u> </u> | <u> </u> |

The Resolution, as the Decision of the Board, was thereupon declared duly adopted by the Board.

Chairman Marlowe advised Mrs. Aliasso that the owner of her property must sign the application form before she returns it to Dave Tessier at the Code Enforcement Office.

There being no further business, a Motion was made to adjourn the meeting at 7:12 p.m. (Pfeiffer/Serafin). All in favor. Motion carried.

Respectfully submitted,

Diane Ilacqua, Secretary