

ZONING BOARD OF ADJUSTMENT  
MINUTES OF MEETING  
FEBRUARY 20, 1992

MEMBERS PRESENT: Joyce Bowden, Bob Callan, Bill Colbath,  
Chris Jacobs, David Paolini, Dean Trefethen

ALSO PRESENT: Steve Stancel, City Planner and Tom Clark,  
Building Inspector

Meeting brought to order at 7:07 PM.

Item #1 a. Mount Pleasant Trust, Hanson Ave., A/K/A  
Assessor's Map 21, Lots 26-27, 26-29, 26-31, 26-  
32, 26-34, 26-35 and 26-37, zoned 26-12, requests  
a Motion or Rehearing concerning ZBA Case #H91-  
17. (Variance request re: building setbacks)

David Paolini did not sit on this case.

Tom Clark distributed last-minute plans. He stated that they  
are asking for a motion for a rehearing for variances for  
Lots 31, 32 and 34 only.

Steve Stancel stated that in his opinion this should be a new  
application.

Abutters were not notified of the motion for a rehearing but  
they will be renotified if the Board decides there is  
sufficient new evidence to rehear the case.

The Board unanimously felt there was enough new information  
to merit a rehearing.

Chris Jacobs made the motion to grant a rehearing.  
Dean Trefethen seconded.  
VOTE U/A GRANTED

Chris Jacobs stressed the point that all the original  
abutters have to be renotified even though they have cut down  
the amount of requested lots.

ITEM #2: Old Business

Approval of the minutes of the last meeting.

Bill Colbath made the motion to accept the minutes of the  
last meeting.  
Dean Trefethen seconded.  
VOTE U/A

Item #3: H92-1 Hair Dimensions (Owner: Judy Stewart) 55 Old Rochester Rd., A/K/A Assessor's Map 40, Lot 19, zoned B-3, requests a variance from the terms of Article IX, Section 170-32.G (3)(a), to maintain a free-standing sign where the principal building is less than fifty (50) feet from the property line on the street(s) to which it abuts.

Tom Clark stated that the sign in question has been up for approximately three years and was installed by the previous owner.

Chris Jacobs did not sit on this case.

Judy Stewart stated that the City has known that the sign was there and if the sign was allowed for the previous owner it should be allowed for her. She stated that the sign would not be seen if it was on the building and would prove hazardous to motorists trying to read the sign.

David Paolini made the motion to accept the case.  
Bob Callan seconded.  
VOTE U/A

Steve Stancel stated that the Planning Department was in favor of the variance with the condition that they do not come in for wall signs as long as they have this free-standing sign. He stated that it is a unique lot.

Judy Stewart asked about a sandwich sign that could be taken in at night.

Tom Clark stated that sandwich signs are only allowed in a B-2 zone. He stated that directional signs are OK.

Judy Stewart stated that the sign in its present location is much safer as drivers do not have look back to read it.

Chris Jacobs felt they have done a tremendous job of renovating the property.

#### 5 CRITERIA

1. The applicant does face an unnecessary hardship because of the unique shape of the parcel and the building location on the parcel renders wall signs impractical.
2. The variance will deliver substantial justice as it will allow proper advertising in accordance with the ordinance and the existing sign.
3. The variance will be in harmony with the spirit and intent of the zoning ordinance as the applicant has no more signage than allowed by the ordinance.

4. The variance will not result in a diminution in value of surrounding properties as no evidence was presented.
5. The variance will be of benefit to the public interest as it will allow easy, safe identification.

David Paolini made the motion to grant the variance with the condition that the applicant have no further signage, including wall signs.

Bob Callan seconded.

VOTE U/A GRANTED

Joyce Bowden stated that when the Zoning Board is in session, the members owe it the public to address each other publicly, only.

Bill Colbath made the motion to adjourn.

Bob Callan second.

VOTE U/A

Meeting adjourned 7:55 PM