Zoning Board of Appeals
October 16, 2023

Present: Chairman Bill Nickal, John Ceresoli, Robert Doss, Dan Welker, Paul Adams, Counsel Nadine Bell, Bob Doss, and Jill Doss
Excused: Dan Newton

Chairman Nickal called the public hearing to order for Sweet Tooth Annie sign area variance at 7:02 p.m.
Bob Doss explained to the Board that a second sign is allowed per the Village Code, however, not in the location that the applicant is requesting. He showed the Board the sign to the Board indicating that Sweet Tooth Annie has been approved for a sign for the front (Rouse Street entrance to bakery) of the building. The request is to have a second sign for the south side of the bakery portion of the building to give more visibility for customers traveling on the one-way street (Rouse Street). The Code allows for two signs (one for each street frontage - Section 42 E (2)(c)). The size of the sign is 36" x 28", painted aluminum. Counsel Bell inquired if this had been referred to the County for GML 239 review. It has not been sent to the County. The Clerk was instructed to send information to the County and contact them to ask whether a referral was required for a sign. The Board could ratify and re-affirm a decision at the next meeting, dependent on what the County advises. The Board acknowledges that the criteria for the area variance has been addressed by the applicant in the application. Bob Doss asked the Board about security lighting (not a light for the sign) for the south side of the building would be an issue as this side of the building is dark. Mr. Doss commented he would check with the Wilson's who own the property on the south side of the Doss property to be certain security lighting wasn't an issue. The Board instructed that the lighting should be downward. Chairman Nickal asked if anyone has further questions. No additional questions or comments were made. The public hearing was closed at 7:15 p.m.

Chairman Nickal opened the regular meeting at 7:15 p.m.

Minutes
The Board members reviewed the minutes of September 18, 2023. Upon the motion made by John Ceresoli and seconded by Dan Welker, the Board unanimously approved the minutes of September 18, 2023.

New Business

Action - Sweet Tooth Annie sign variance request
Upon the motion made by John Ceresoli and seconded by Dan Welker, the Board acknowledged the receipt of the short environmental assessment form dated July 31, 2023 for the Sweet Tooth Annie application. Upon review of the SEQR form, the Board determined themselves to be Lead Agency for purposes of SEQR and declared the matter and Unlisted Action with a negative declaration, they further determined to grant the area variance application for Sec 42 (3)(2)(C) to allow a second attached sign not

situated on the public right of way on the south facing wall of the business located at 296 Genesee Street which is located in a General Business district and further, the applicant has satisfied the area variance criteria. With no further discussion, a roll call vote was taken as follows:

JOHN CERESOLI	YES
DAN WELKER	YES
PAUL ADAMS	YES
ROBERT DOSS	ABSTAIN
BILL NICKAL	YES
DAN NEWTON	EXCUSED

Motion carried.

With no further business, meeting adjourned at 7:40 p.m.

Respectfully submitted,

Jill A. Doss
ZBA Secretary