Zoning Board of Appeals
March 20, 2023

Present: Chairman Bill Nickal, Dan Newton, Robert Doss, Paul Adams, Dan Welker, Counsel Nadine Bell, Mr. & Mrs. Matthew Hood, Mr. & Mrs. Sidney Grant, Mr. & Mrs. Prince, Jill Doss
Absent: John Ceresoli

Chairman Nickal called the first public hearing to order at 7:00 P.M.

Matthew Hood -133 Pebblestone Drive - Special Permit - Home Occupation
Matthew Hood appeared before the Board this evening to present his request for special permit for home occupation at his residence located in a medium residential zone (MR) at 133 Pebblestone Drive. Mr. Hood is seeking to obtain a letter of approval from the Village to start application to apply for a Federal Firearms License (FFL) through the Bureau of Alcohol Tobacco and Firearms (ATF). He would like to open a gunsmithing operation at his home which would consist of repairs and maintenance of firearms. His license would allow him to conduct transfer and sales of firearms to other law enforcement officers and private civilians in the area. He did note if an individual contacted him and provided him with exact details of a new firearm he/she wanted, he would be able to facilitate this under this license. He explained he is able to store purchased firearm overnight in a locked safe. His work would consist of repairs or maintenance. There would be no signs, no storefront, the operation would be out of his basement where he has a small work area and a gun safe. No firearms would be fired, if a weapon needed to be fired that would be up to the firearm owner and there are facilities available for this purpose, for example the Oneida Police Departments range. He would conduct his business by appointment only during the daytime hours of 8 a.m. to 4 p.m. and interactions at his residence with "customers" would be brief. There would be no noticeable increase in traffic. He also noted that his property has security cameras running 24/7 at the front and rear entrances and live alerts/notifications to himself and his wife. Mr. Hood commented that he is a Air Force Veteran and also serves as a Narcotic Investigator with the Madison County Sheriff's Office. He is also a certified firearms armorer with the County as well. He has a great deal of gunsmithing training too. The business would be operated under the name of Churchs Gun Works LLC. There are 18 FFL holders in Madison County. With no further questions or comments, public hearing closed at 7:12 p.m.

The public hearing for CNY Flooring -Projecting Sign Area Variance -204 Tuscarora Rd
Sidney Grant, owner of CNY Flooring commented that he had recently moved his operation from Genesee Street to 204 Tuscarora Road. He is requesting an area variance for a projecting sign at his new location. The sign will be double sided and lit internally, blue and orange letters on a white background. The sign will be hung snug to the wall and will be 48 x 24 inches in size. The sign is two (2) square feet larger in size than the Code allows. The lighting will not flash but remain constant and lit 24/7 to give more visibility for his business. The Chairman asked if anyone had any comments for or against the request. There were none. The public hearing closed at 7:18 p.m.

Chairman Nickal called the regular business meeting to order at 7:18 p.m.

Minutes
The Board members reviewed the minutes of February 27, 2023. It was noted in the Terzella resolution page 3 Item #2 the word black should be changed to block. With no other corrections, and upon the motion made by Dan Newton, seconded by Paul Adams, the minutes of February 27, 2023 were approved as corrected. All members present voting in favor.

Matthew Hood - Special Permit -Home Occupation 133 Pebblestone Drive
The Board members reviewed the short form SEQR, Part II contained in Matthew Hood's application. All responses to the questions on Part II were either no and small impact or not applicable. Based on the review and responses and upon the motion made by Dan Newton and seconded by Robert Doss the Board determined this request to be an Unlisted Action for purposes of SEQR, the Zoning Board of Appeals is the lead agency with a negative declaration. All members voting in favor.
Upon the motion made by Dan Newton and seconded by Robert Doss the Board moved to approve the application for Special Permit for Home Occupation submitted by Matthew Hood to be located at his property located at 133 Pebblestone Drive subject to the following conditions; gunsmithing work to be conducted at 133 Pebblestone Drive in Chittenango by Matthew Hood subject to the receipt of approved and required FFL licensing and approved by Federal Department of Alcohol Firearms and Tobacco, Madison County, and NYS Police. Home Occupation cannot continue if at any time the ATF or Police revoke such FFL license for Matthew Hood, the Special Permit would be null and void, any weapons transported in an out of the premises located at 133 Pebblestone Drive need to be concealed and in an appropriate case, transactions by appointment and during the daytime hours of 8 a.m. to 4 p.m., no signage will be posted on the house, and no storefront will be created and no unusual increase in vehicle traffic at the property. With no further discussion and upon a roll call vote as follows of the resolution:

Dan Newton	yes
Dan Welker	yes
Paul Adams	yes
Robert Doss	yes
Bill Nickal	yes

Motion carried.
A letter of approval of the Special Permit for Home Occupation for Matthew Hood for 133 Pebblestone Drive will be mailed to Mr. Hood.

CNY Flooring - area variance for projecting sign 204 Tuscarora Road
The Board members reviewed the information presented this evening by Sidney Grant, owner of CNY Flooring for an area variance for a projecting sign that exceeds the allowed square footage by two(2) square feet. The Board members reviewed the SEQR form Part II and determined that all questions were either no or small impact or

not applicable to the application presented. The Board members also reviewed the criteria for area variance; objective - to advertise the business more effectively, is there any other way to accomplish the objective - no, the sign is larger, but the business is located in a dark area and the larger sign would give more visibility. is the variance detrimental to the adjoining properties - no. Is variance the minimum - yes the applicant believes it is. is the problem self-created - no, the applicant does not believe it is a problem because there are other companies in town that have large signs or multiple signs. The Board further discussed the request. Upon the motion made by Dan Welker and seconded by Dan Newton, the Board declares themselves lead agency for purposes of SEQR, they determine this to be an Unlisted action with negative declaration. All members present voting in favor.
Upon the motion made by Dan Newton and seconded by Robert Doss, the Board made the motion to approve the area variance for the projecting sign for CNY Flooring at 204 Tuscarora Road that exceeds the Village Sign Code by two (2) square feet. (6' x 3') The sign will be installed snug to the wall of the building, will be internally lit double sided sign with blue and orange letters on a white background. This signage is in keeping with the Village's Comprehensive Plan design for signage. It is determined that the requested variance relief will not produce any undesirable change in the character of the neighborhood will not be a detriment to nearby properties. Variance relief for the projecting sign will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district if the projecting sign is installed The benefit to the Applicants does outweigh any detriment to the neighborhood or community because of granting the variance relief. Roll call vote was taken:

Dan Newton	yes
Dan Welker	yes
Paul Adams	yes
Robert Doss	yes
Bill Nickal	yes

Motion carried.
Applicant was instructed to see the Code Officer for the necessary permit.

Article 78 Proceeding regarding Terzella (1st variance hearing)
Counsel Nadine Bell advised the Board that the Attorney for the Terzella's had contacted her recently and advised that the Article 78 proceeding is adjourned until August 2023.

Next meeting
April 17, 2023

With no further business, meeting adjourned at 8:00 p.m.

Respectfully submitted,

Jill A. Doss
ZBA Secretary