

Village of Webster  
Community Meeting Hall  
29 South Ave  
Webster, NY 14580

Zoning Board of Appeals Minutes  
Meeting Date: September 18, 2014

Present:

Chairman Mark Nicholson, Michael O'Connor, William Baker, Robert Fantauzzo, Sean Miller, Attorney David Mayer, Building/Code Enforcement Officer Will Barham

Absent:

Secretary Carol A. Moranz

The meeting came to order at 7:30 pm.

**Motion was made** by William Baker, seconded by Sean Miller, to approve the minutes from the August 21, 2014 meeting. All in favor none opposed, motion passes.

1. Michael Mammano III of Clinton Signs representing Xerox 800 Phillips Road, Tax ID # 065.19-1-1. Application to erect a freestanding/ monument sign approximately 100 square feet on Xerox campus at the corner of Mitcheldean Drive and Denham Road. Applicant seeks relief from current zoning regarding number of signs allowed per business. Applicable zoning section: 175-34 (D)(3). Property zoned: General Industrial.

Applicant would like a variance for an additional sign on the Xerox campus. Sign will be exactly the same sign as the other signs on the property. It will be single sided sign due to a large berm located on one side of it which tends to obstruct the view, and will be perpendicular to the side street. It will be illuminated from the inside.

**Motion was made** by William Baker, seconded by Robert Fantauzzo to declare the Webster Zoning Board of Appeals as lead agency for a Type II action for SEQRA. All in favor none opposed, motion passes.

Opened to Public  
No comments  
Closed to Public

**Motion was made** by Sean Miller, seconded by William Baker to approval an additional sign at corner of Mitcheldean and Denham on the Xerox campus as identified in the application. All in favor none opposed, motion passes.

2. Mr. Robert L. Abson, owner 114 Sanford Street. Application to replace current accessory structure and install a 12' x 16' shed (192 sf). Current zoning allows for a 100 sf accessory structure. Applicant seeks a variance for 92 sf. Applicable zoning section: 175-39. Property zoned: R1-13.6.

Applicant said he has too many toys and not enough space so he needs to replace the current shed with a larger one. He noted that the neighbors are more than happy to let me have a larger shed. Everyone he went to on Sanford Street signed his petition.

**Motion was made** by William Baker, seconded by Robert Fantauzzo to declare the Webster Zoning Board of Appeals as lead agency for a Type II action for SEQRA. All in favor none opposed, motion passes.

Opened to the Public  
No comments  
Closed to the Public

**Motion was made** by Robert Fantauzzo, seconded by Sean Miller to approve a 92 square foot size variance for an accessory structure. All in favor none opposed, motion passes.

3. Apex Consulting, 102 East Ave., Lockport, NY, representing Sunoco A-Plus, 226 North Ave., Webster, NY. Application to install a 10' x 15' accessory structure (150 sf). Current zoning allows for a 100 sf accessory structure and only one accessory structure per property. Applicant seeks a variance for 50 sf, and for additional accessory structure. Applicable zoning section: 175-39. Property zoned: General Industrial.

Tim Arlington from Apex Consultants representing Sunoco A-Plus. Discussed how the Village Planning Board had recommended that they applicant remove other shed and only have one larger one on the property. Mr. Arlington stated he does have two plans available if the Zoning Board does not want an additional structure on the property. The applicant's first preference would be go forward with the additional structure, however they do have the plans for a single shed.

Attorney David Mayer said that the public has had proper notification regarding this application so the Zoning Board can make changes if they would like. Building Code Enforcement Office Will Barham noted the Planning Board said that they don't like the two sheds. They would rather they built one shed that was big enough to cover the square footage for both sheds and move it a little bit further away from the building.

Applicant presented plans for a 10'x 20' square foot shed so they would need a variance for 100 sf. It has also been shifted 7 feet away from the building which will allow for the doors of the building. It will be wood frame with vinyl siding,

shingled roof, double doors, and does not have a permanent foundation. Applicant feels this will be ok if it is what the Board requires. Notification was sent out to neighboring properties. Many of them are vacant. No one raised any objections. The shed will be properly screened with the vegetation. It will be the same height.

**Motion was made** by William Baker, seconded by Robert Fantauzzo to declare the Webster Zoning Board of Appeals as lead agency for a Type II action for SEQRA. All in favor none opposed, motion passes.

Opened to the Public

Rick Walter – Elm Street – we seem to be getting bigger and bigger sheds. Is there any objection from the fire marshal's office regarding exceeding the Code? W. Barham said no as long as we meet the setback requirements it doesn't matter. Mr. Walter also asked if there will be anything other than normal combustibles in there. Applicant said there will not be any flammable items in there, it will be items such as cups, paper plates, and items that they don't have any room for storage of inside the store. Because this is a smaller store, there is not any real storage in the back of the building.

Closed to the Public

**Motion was made** by Sean Miller, seconded by William Baker to grant a 100 square foot variance for a single accessory structure as per submitted plan SP 2. All in favor none opposed, motion passes.

Board discussed upcoming training opportunities. M. Nicholson also noted the number of requests for larger sheds in the Village. Chairman Nicholson is looking into other villages code requirements regarding this issue.

**Motion was made** by William Baker, seconded by Michael O'Connor to adjourn the meeting at 8:10 pm. All in favor none opposed, motion passes.

Respectfully submitted,

Carol A. Moranz  
Zoning Board Secretary