

## **06/14/11 Zoning Board Minutes**

### ZONING BOARD OF APPEALS

The hearing on Tuesday, June 14, 2011 was called to order by Chairman Schafer at 7:03 PM.

Members present: Harry Kaczmarek also: Joe Colern, Bldg Inspector  
Greg Kalinowski Phyllis Todoro, Town Attorney  
Michael Komorek  
Robert Schafer, Chairman Alfred Harrington, Chairman - excused  
Donald Trzepacz - excused

After Roll Call, the Clerk read the Notice of Public Hearing for discussion/clarification of Appeals Case # 1185 for Online Auto Connection's digital sign. Mr. Mike Beviliqua, Mr. Mark Subject and Mr. Chris McCaffrey were present for Online Auto Connection. Mr. Beviliqua spoke about what their idea of a flashing sign would be. There were no guidelines as to what flashing and scrolling is on a sign at the original meeting. Mr. Beviliqua handed out federal guidelines for LED signs to all the Board members. At no time where they told the sign had to be a stationery sign. There is an automatic dimming on the sign for the evening time and the sign goes off at 11:00 pm. Mr. Beviliqua invited the Board down to Online to view the sign and to come up with a compromise for using the sign. Mr. McCaffrey spoke about what Hamburg has done regarding signs in their town. The sign's purpose is there to promote the business of Online Auto Connections. The code does not go into detail what is allowed for a LED sign. Mr. Subject spoke about how he feels that he has not done anything different than what they said they would do.

Mr. Schafer stated that we are not looking to discourage business in the town and we are not looking to put anyone out of business. Mr. Schafer read the minutes from the original meeting as to what was said by Mr. McCaffrey regarding the sign and how Mr. Subject does not want the sign to flash or scroll. Mr. Schafer proceeded to read the motion he had made at the original meeting stating that the variance was granted per sketches submitted and provided all Elma Town Codes and Ordinances are met and to include the owner's statement that the sign will not flash or scroll.

Mr. Komorek made the motion to adjourn. Seconded by Mr. Kaczmarek. Poll vote – 4 ayes. Motion carried.

Diane Rohl made the Board aware of training that will be offered in the future at the Town for both the Planning Board & Zoning Board. Diane will forward additional information to Kerry in the future.

There being no further business, the meeting was adjourned at 7:21 PM.

Respectfully submitted,

Kerry A. Galuski  
Secretary-Clerk