

**MINUTES OF THE REGULAR MEETING  
ZONING BOARD OF APPEALS  
TOWN OF NEW HARTFORD MUNICIPAL BUILDING  
NOVEMBER 18, 2019**

The Regular Meeting was called to order at approximately 6:00 P.M. by Chairman Randy Bogar. Board Members present were John Montrose, Taras Tesak, Byron Elias, Karen Stanislaus, and Fred Kiehm. Board Member absent: Lenora Murad. Also in attendance were Councilmen David Reynolds and Richard Lenart; Town Attorney Herbert Cully; and Secretary Dory Shaw. Everyone in attendance recited the Pledge of Allegiance. Chairman Bogar introduced the Board Members and explained the procedures for tonight's meeting. Also, there is one Board Member absent and it is up to the applicant if they would like to proceed.

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The application of **Utica Sign for Indium Corporation, 301 Woods Park Drive, New Hartford, New York**. Applicant is applying for additional signage on the building and additional freestanding monument sign at this location. Applicant is proposing two 132± square foot signs on each wall. Also, they are asking for an additional 40± square foot freestanding monument sign. The proposed signage will exceed total allowed area used by 104± square feet. Therefore, the applicant is seeking a 104± square foot Area Variance and the freestanding monument sign. Property is located in a C1 zone which total allowed area used is 200 square feet of signage and not more than one freestanding sign. Tax Map #316.000-2-41.1; Zoning: C1 General Commercial. Mr. John Vella, Sr. and Mr. John Vella, Jr. appeared before the Board.

John Vella, Sr. explained the concept of the sign for Indium and why they have requested the monuments and wall signs. The 200 sf of signage is a total, not individual. There are two entrances and they want to be recognized at each entrance. Indium wants their own identity. They are trying to coincide with the look of the Hartford Insurance sign.

Mr. Brian Freiburger is an employee of Indium Corporation and further explained why they wanted their own identity – the signs do not interfere with visibility. The monument signs will be lit by ground lighting and will be timed. The proposed signs on the building will be similar to the Hartford signs.

Chairman Bogar asked if there was anyone present to address this application – no response. The Public Hearing ended at approximately 6:15 P.M.

At this time, the Board Members reviewed the criteria for an Area Variance:

- An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance – response; no, all in agreement;
- The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance – response; no, all in agreement;

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- The requested variance is substantial – response: no, all in agreement;
- The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – response: no, all in agreement;
- The alleged difficulty was self-created, which consideration shall be relevant to the decision, but shall not necessarily preclude granting the variance – response: no, all in agreement.

Motion was made by Board Member John Montrose to grant this application as requested/submitted; seconded by Board Member Karen Stanislaus; and that a Building Permit be obtained within one year of approval date. Vote taken:

Chairman Randy Bogar - yes  
Board Member John Montrose – yes  
Board Member Byron Elias – yes

Board Member Fred Kiehm - yes  
Board Member Taras Tesak - yes  
Board Member Karen Stanislaus - yes

Motion was **approved** by a vote of 6 – 0.

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Draft minutes of the October 21, 2019 meeting were approved by motion of Board Member Byron Elias; seconded by Board Member Taras Tesak. All in favor.

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There being no further business, the meeting adjourned at approximately 6:25 P.M.

Respectfully submitted,

Dolores Shaw, Secretary  
Zoning Board of Appeals

dbS