

**TOWN OF NEWSTEAD – ZONING BOARD OF APPEALS**  
**MINUTES of May 22, 2008**

Present: Bill Kaufman  
John Klodzinski  
Scott Zitzka  
John Good – Code Enforcement Officer  
Jennifer Heberling – Recording Secretary

Absent: Peter Randall  
Corky Keppler

Bill called the meeting to order at 7:30 PM and led the Pledge of Allegiance to the American Flag.

**Use Variance Request – Christian Airmen – John Street** – legal notice was read by the clerk. Shawn Bray, Passero Associates, 100 Liberty Pole Way, Rochester NY appeared to speak on behalf of the Christian Airmen. He presented a quick overview of the project to the Board. Mr. Bray showed a representation of what they are proposing. There will be approximately 127,000 square feet of asphalt if the project is completed. Currently the airport has 13 tie-downs which would be reduced by one with the completion of this project. There is probably only 50,000 square feet of asphalt currently. The drainage for the airport will be updated with this project.

Mr. Bray told the Board that per the FAA the airport has to meet certain standards involving paved areas that the airport still will not be meeting at the completion of this project.

Since no one else appeared to speak, the public hearing was closed at 7:40 PM.

Discussion by Board. Bill asked John G. if this was just a maintenance issue. John G. explained that since it is such a significant increase in asphalt, they were required to apply for the variance. They are not really “expanding” the airport since there will be one less tie-down when the project is complete.

John G. told the board that the airport is improving the drainage with this project. He is also recommending that with any future projects they must continue to update the drainage. John G. stated that the Planning Board is also addressing the number of aircrafts stored at the airport.

Bill recommended that the variance be approved due to the fact they are not expanding the size of the airport and they are addressing the drainage issues. Mr. Bray stated that the project was going to cost approximately \$550,000 and funding was coming from the FAA. The airport should have the money by next week.

Board went through the variance check list.

A motion was made by Scott to approve the variance request with the condition that the improvement does not expand the number of tie-downs or permanently hangared aircraft, seconded by John K.

Bill – Aye  
John – Aye  
Scott – Aye

Variance request granted.

**Tabled Variance Request – Nicholas, Perot, Smith, Bernhardt & Zosh – LED Sign** – Bill presented a letter from the attorney’s office stating their intentions with regards to the message portion of the sign. It is not the intent of the attorney’s office to advertise their services. Time – date – community message – attorney’s slogan – back to time – etc. The intent of the code was to prohibit movies, flashing lights, advertising “sales prices”, etc. They are replacing the sign with the same sized sign as they had before.

John K. feels it would be easier to change the code because this is just the beginning with signs of this type. John G. stated that the sign section is currently being looked at. Board went through the variance check list.

A motion was made by John, seconded by Scott to approve the variance request with the following conditions:

- No moving images on the sign (i.e. fireworks, explosions, movies, etc.)
- Messages may not change any faster than 45 to 60 seconds.
- No fading, scrolling, dropping in or similar message issues. Messages should be instantaneous.
- Messages may include community events, holiday greetings, public service messages, emergency notices, (i.e. Amber Alerts) and the law office’s slogan.
- Messages may not include advertising or pricing of services offered at the law office, no commercial advertising and no rental of the sign for commercial advertising.

Bill – Aye  
John – Aye  
Scott – Aye

All in favor.

Motion made by Bill to accept the minutes of 03/27/2008, seconded by Scott and all in favor.

John made a motion to adjourn the meeting at 8:25 PM, seconded by Scott and all approved.

Respectfully Submitted,  
Jennifer Heberling  
Recording Secretary