

**TOWN OF CLARKSON
ZONING BOARD OF APPEALS
October 3, 2018**

The Zoning Board of Appeals of the Town of Clarkson held their regularly scheduled meeting on Wednesday, October 3, 2018 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 p.m.

PRESENT

Board Members

Paul Dittman, Chairperson
Jim Gillette
Harold Mundy
Lisa Rivera-French
Joe Perry

Support Staff

*Chad Fabry, Building Department
Susan Kelly, Building Department

*Excused

ALSO ATTENDING

Jay Hurzy, Applicant
Dick Olson, Town Attorney

CALL TO ORDER

P. Dittman, Chairperson, called the meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance. P. Dittman read aloud the agenda.

NEW BUSINESS

Applicant: Jay Hurzy, Sign and Lighting Services, LLC

Property Owner: Rerob, LLC

Property Address: 7535 W. Ridge Rd.

Tax ID #: 070.01-1-18.11

Zoning: Incentive

Request for two Special Permits for permanent signs (pylon sign and building sign) pursuant to Clarkson Town Code § 140-13 A.

§ 140-13 Signs.

A. No advertising sign or billboard of any description shall be erected at any place in the Town of Clarkson without a special permit by the Zoning Board of Appeals ...

Request for Area Variance for a sign greater than 40 sq. ft. and higher than 14' pursuant to Clarkson Town Code § 140-13 D.

§ 140-13 Signs.

D. No sign shall be newly erected in the Town which has a surface area in excess of 40 square feet or a height in excess of 14 feet. The height shall be taken as the vertical distance from the uppermost portion of the sign to the ground.

J. Hurzy gave an overview of the proposed Speedway signs.

1. Sign on building: 11' 4 ½" W x 26" H, LED interior lit, to be placed on mansard, background color to match mansard color.
2. Pylon sign: approximately 68 sq. ft., 63" W x 19' H, placement undetermined.

There was discussion regarding the 99' right-of-way requirement on Ridge Rd. and the 75' setback requirement for the site triangle (Clarkson Town Code § 140-11). P. Dittman and R. Olson informed J. Hurzy that an exact location of the pylon sign is required before a special permit could be granted.

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The 3-Line Reader Board portion of the pylon sign is to be manual, not digital. P. Dittman stated that, in his opinion, the 3-Line Reader Board is not aesthetically pleasing. He suggested that they consider eliminating that portion of the sign.

H. Mundy stated that he looked at a Speedway sign in Brockport that is much lower (4' high) and conforms to the 40' sq. ft. limit. J. Hurzy stated that because the Speedway on Ridge Rd. sits back from the road quite a bit, a smaller sign would not be visible enough. L. Rivera-French questioned how nearby residents would be affected by the sign lighting. J. Hurzy answered that only the "S" in Speedway at the top is lit. J. Perry questioned the lighting of the gas price digits. J. Hurzy answered that they are controlled internally and self-dim based on time of day/night.

The following five factors were addressed:

- There will be no undesirable change produced in the character of the neighborhood by the granting of the area variance.
- There are no alternative methods to achieve the benefit other than the area variance. Having the signage is the only way to achieve success for Speedway. They need to be branded so customers can find their location.
- The requested area variance is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.
- The difficulty was self-created, however, having all the signage requested is necessary for the success of Speedway at this location.

P. Dittman requested that J. Hurzy look into the possibility of eliminating the 3-Line Reader Board portion of the pylon sign and provide the exact location of the placement of the pylon sign. J. Hurzy stated that he would get that information to the Building Dept. next week.

H. Mundy asked if there were a tenant, where would their sign be located. J. Hurzy answered that they would possibly eliminate the "Fresh Coffee" portion of the pylon sign and place it there.

L. Rivera-French requested that J. Hurzy provide a map showing the exact location of the sign, as well as nearby houses.

J. Perry and J. Gillette requested that a stake or flag be placed at the exact location of the sign by the Monday prior to the next meeting.

R. Olson noted that the location of underground utilities could affect the location of the pylon sign.

Motion by P. Dittman

Seconded by J. Perry

To schedule a public hearing at the Zoning Board meeting to be held on November 7, 2018 at 7:00 pm.

Approved unanimously

MINUTES

Motion by L. Rivera-French

Seconded by J. Perry

To approve the September 19, 2018 minutes.

Approved unanimously

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ADJOURNMENT

Motion by P. Dittman
Seconded by L. Rivera-French
To adjourn the meeting at 8:10 pm.
Approved unanimously

NEXT MEETING

The next regularly scheduled meeting of the Zoning Board of Appeals will be Wednesday, October 17, 2018 at 7:00 p.m. L. Rivera-French will not be able to attend.

Respectfully submitted,

Susan Kelly
Building Department

Approved 11/7/2018