**TOWN OF STONY POINT**

**ZONING BOARD OF APPEALS**

**Minutes of April 5, 2018**

**PRESENT: ALSO PRESENT:**

Mr. Anginoli Dave McCartney, Attorney

Mr. Keegan

Mr. Casscles

Mr. Vasti

Mr. Lynch

Mr. Strieter

Chairman Wright

**Chairman Wright**: Good evening. Welcome to the Stony Point Zoning Board of Appeals. I call this meeting of April 5, 2018, to order. Please rise for the Pledge of Allegiance.

The Pledge of Allegiance was recited and roll call taken.

We have two (2) items on the agenda tonight. One is a new application and the other is the review of the minutes. The first is a request of Frohling Sign Company.

**Request of Frohling Sign Company - App. #18-03**

A variance from the requirements of Chapter 215, Article IX, Section 52-B-2 exceeds maximum square footage allowed, required 40 square feet, provided 243.28 square feet.

A variance from the requirements of Chapter 215, Article B-3, exceeds vertical dimension allowed, required 2.5 feet, provided 5.99 feet, for a sign located at 22 Holt Drive, Stony Point, New York.

**Section: 20.04 Block: 11 Lot: 2.2 Zone: LI**

This is going to be put on the agenda for a Public Hearing on May 3, 2018. Is there a representative or the applicant present – Mr. Zigler?

Mr. Zigler just to make sure we kind of understand what the request is and then we will probably ask you all these same questions again when we do it over so we can get it on the record.

**Mr. Zigler**: I have a map for your field trip (hands same out to the Board). This is the shopping center down at Holt Drive (Shop Rite) and the user is going to take three (3) units. It is almost like a minor…major. To tell you the truth that is a lot. The nail place, Angel Tips, I think it’s called…if you look at it…if you stand in the parking lot and Angel Tips is on your right they are gonna move Angel Tips out and over and then take the next two (2) units. So basically this is a sign that covers three (3) units.

The Code …I talked to Bill about it. The Code actually looks at a shopping center as if somebody is going to move into one unit. You have the major and then you have all your sides and then it faces the sides off of one unit and even though this guy is taking three, this user, you don’t get to multiply it because it does say by user. So in reality you could have somebody come in and take all the units, what we call the “mom and pops”, the smaller units of the shopping center; somebody could take them all and it would only be allowed the 40 square foot sign.

So the variance here is because it’s a big user and they want to be there like a major. It’s almost like you would have a Shop Rite at one end and a Rite-Aide at the other; and its 6,000 square foot. So that’s a big user. The user is requesting this and the landlord is trying to get this variance.

**Mr. Vasti**: Question Mr. Zigler…is this sign going to be illuminated?

**Mr. Zigler**: Yes, I think just the letters.

**Mr. Vasti**: Because I was on the board when the whole Shop Rite project came to being and there were restrictions on the hours of illumination and there were some restrictions on the size. It is understandable given the amount of space and that it is three (3) stores and the fact that he wants to act as a magnet and be seen from up on Route 9W; logically it makes a lot of sense. You can hardly see those smaller stores on…

**Mr. Zigler**: They are very small. Look at the picture there – the Angel Tips. If I didn’t tell you what it was…and that picture is just taken from mid parking lot. They are very small, but this is a variance. I wanted you to have that picture when you went out and looked at it.

**Mr. Vasti**: I am going to be curious to see in relation, and I am very thankful for this picture. This rendition is very good; this concept. I want to see how it compares to the Shop Rite signs. They are pretty close.

**Mr. Zigler**: I understand.

**Mr. Vasti**: Even smaller. This is probably smaller then or close.

**Chairman Wright**: And again this is just too kind of make sure that the request is up-to-date; not so much for the open hearing but if anybody has any other questions to…

**Mr. Vasti**: One other question I have is the color going to be green. Is that the logo that the chain wants…it’s a chain store?

**Mr. Zigler**: Yes. I’m not so sure chain, but there is more than one of them.

**Mr. Vasti**: Multiple stores. The same name.

**Mr. Zigler**: Yes.

**Chairman Wright**: Does the landlord have any restrictions on the color or size themselves?

**Mr. Zigler**: Yes, and the map…when the shopping center was approved it was approved with a color scheme and the green does match that. It’s just that the size doesn’t.

**Chairman Wright**: So in all likely, this would be the color that would still go on there.

**Mr. Zigler**: Yes, I mean like if he wanted to change it to some other color that’s not really what was approved. That whole scheme of colors was approved with the plan.

**Mr. Keegan**: Dave is this picture, the way its depicted here, is that to scale?

**Mr. Zigler**: No, you can’t scale. I blew it up. It is covering the three units, but it is out of scale because they sent an 8½ x 11 and I made it 11 x 17; so it doesn’t scale.

**Chairman Wright**: It would be representative that way.

**Mr. Zigler**: Yes, it’s just proportional wise but you can’t scale it.

**Mr. Vasti**: Do you have the size of the letters?

**Mr. Zigler**: Just the letters?

**Mr. Vasti**: No, the whole thing, but each letter.

**Mr. Zigler**: No, it’s just the height. I can get those.

**Mr. Vasti**: Could you. So we know the height…

**Mr. Zigler**: A stringer underneath for each letter, width and separation. No problem because…

**Mr. Vasti**: It doesn’t have to be for each letter but the whole row on top seems to be, excuse the term – font, as if we are printing on a page and then the smaller font under that.

**Mr. Zigler**: I will double check that 36” and the height 42, I think.

**Mr. Vasti**: The height and width of them would be good to know.

**Chairman Wright**: Kathy, did Bill have any specific thoughts or incite on this thing. Did he talk about it at all?

**Ms. Kivlehan**: I wasn’t there when the application came in the second time so I don’t really know.

**Chairman Wright**: Did he say anything to you, Dave, about it or is it just…I am fine. I was just curious more about…

**Mr. Zigler**: That’s why I gave that to you so you could look at it.

**Chairman Wright**: Okay, fair enough.

**Mr. Vasti**: I would be curious to want to know what would be the maximum square footage if it was a 20 foot store.

**Mr. Zigler**: The same.

**Mr. Vasti**: The same.

**Mr. Zigler**: Yes, that’s the silly thing of it. But, it’s the Code. Its user; so its three units, but it’s the same user so its 40 square foot. The 40 square foot has to do with the user and it is one user.

**Mr. Keegan**: What is that usually 4 x 10?

**Mr. Zigler**: Signs?

**Mr. Keegan**: Yes.

**Mr. Zigler**: They are all different.

**Mr. Keegan**: Are they confined to 40 square feet?

**Mr. Zigler**: Yes, but you could say that, but that’s not the truth. It is usually longer then it is higher. I would say usually like 2 x 22 or 2 x 18. It’s usually longer then it is…it's not usually rectangular.

**Chairman Wright**: Did you do anything else like this in the area?

**Mr. Zigler**: Not that I could think of; no. The bigger users in the Town, like the daycare and the gym, they were split of a big box. So you really don’t have anything that I could think of where you have like I call it two majors in a shopping center.

**Chairman Wright**: Are you away of any locations like this that aren’t part of a multi-unit tenant that might stand alone that would have similar sizing requirements and restrictions on their signs?

**Mr. Zigler**: No, but I could look into that.

**Chairman Wright**: With that what we will do is we will schedule a sight visit for April 29, 2018, and we will have the Public Hearing on May 3, 2018.

**\*\*\*MOTION: Chairman Wright made a motion to place Application #18-03 on the May 3, 2018, agenda for a Public Hearing; seconded by Mr. Vasti. All in favor; the motion was carried.**

**Chairman Wright**: The other item on the agenda is the minutes of March 15, 2018.

**\*\*\*MOTION: Mr. Vasti made a motion to accept the minutes of March 15, 2018; seconded by Mr. Lynch. All in favor; the motion was carried.**

**\*\*\*MOTION: Mr. Anginoli made a motion to adjourn the meeting of April 5, 2018; seconded by Mr. Casscles. All in favor; the motion was carried.**

**Respectfully submitted,**

**Kathleen Kivlehan**

**Secretary**

**Zoning Board of Appeals**