

Town of Claverack
Zoning Board of Appeals
P.O. Box V
Mellenville, NY 12544
Minutes: October 28, 2015

Approved 12/2/15

Chairman Frank Clegg called the October 28, 2015 meeting of the Town of Claverack Zoning Board of Appeals to order at 7:30 p.m.

Members in attendance were: Chairman Frank Clegg, Steven Melnyk, John Porto, David Graziano, Oliver Milot, Kim Keil, Chris Post, attorney; Rob Fitzsimmons, engineer; George Schmitt and secretary; Jodi Keyser

Members reviewed the minutes of the August 26, 2015 meeting.

Motion to approve the minutes of August 26, 2015 was made by Kim Keil with a second from Chris Post. All members were in favor. Motion carried.

**CONTINUING APPLICATIONS FOR 10/28/15:
NONE**

NEW APPLICATIONS FOR 10/28/15:

Concra, Margaret dba Subway: Tax Map # 121 . 3 – 3 – 16 . 100 Located at the intersection of NYS Rte. 9-H & 23/23-B Variance for additional signage of 2 enter/exit signs with business name and variance for internal illumination for 16 square foot building sign and the two 5 square foot enter/exit signs.

Margaret and Vince Concra were present for the application. Ms. Concra informed the ZBA that she is seeking a Variance for signage in excess of the allowed amount. Ms. Concra continued that she is currently before the TOC Planning Board for an amendment to a previously approved Site Plan. Ms. Concra informed the Board that the approved Site Plan did not have approval for signage which brings her to the ZBA. Ms. Concra stated that she told the Planning Board that she is concerned that a sign on the front of the building is not enough exposure for the public to see when traveling on Rte. 23/9-H & 23-B and that the customers would drive right passed the shop because she doesn't have signs. Ms. Concra informed the Board that the Planning Board advised her that they would not support a pole sign but would support signs at the entrance/exit areas that can have Subway on them as a form of advertising. Ms. Concra continued that after meeting with the TOC Planning Board she decided to keep the sign on the building to the allowed 16 square feet and drop a proposed pole sign that would be in the corner of the parking lot near the intersection. Ms. Concra informed the Board that at the suggestion of the Planning Board members she would request entrance/exit signs with the Subway logo on them as an alternative. Steven Melnyk asked if she was planning on having two signs at each of the two entrance/exits. Ms. Concra answered no only one enter/exit sign will be at each entrance/exit. Chris Post informed Ms. Concra that her business is located in the Hamlet Business Zone and signs with internal illumination are not permitted. David Graziano informed the applicants that the signs can be illuminated from an external source. Rob Fitzsimmons asked the applicants if they are planning to have signs that are internally illuminated or externally illuminated. Ms. Concra answered that the signs would be internally illuminated with LED lights if possible. Vince Concra informed the Board that he is having specially designed signs made because the signs that the franchise would supply would be too large. Mr. Concra continued that if the Board tells him he has to light the signs from an external source then he will figure something out but would rather use internal LED illumination. George Schmitt informed the applicants that they will need to modify their variance

application to add the internal illumination of the signs. Rob Fitzsimmons explained the history of the application with the Planning Board and the pole sign, other large signs on the building and how the entrance/exit signs were suggested as an alternative as more visibility for the business. Chris Post stated that the applicant should adhere to the Zoning Code. Ms. Concra stated that the signs made better sense to her because they will also help to direct traffic safely because the curbing is so low. Chairman Clegg asked the Board members if they had any other questions or concerns. No other questions. Rob Fitzsimmons informed the Board that the application will be amended to include internal LED lighting.

Motion to accept the amended application for an area variance for an additional 10 square feet of signage for 2 entrance/exit signs with the Subway logo and a variance to allow for internal LED illumination of the 16 square foot sign and 2 entrance/exit signs totaling 10 square feet and set for public hearing was made by Steven Melnyk with a second from Oliver Milot. All members were in favor. Motion carried.

Ms. Concra amended the application to include that the signs will be internally illuminated with LED lights. Set for public hearing.

Members discussed the need for a combined November – December meeting due to the holidays. Members agreed on holding a combined November – December meeting on Wednesday, December 2, 2015 at 7:30 p.m. at the Claverack Town Hall building.

Motion to adjourn the meeting was made by Kim Keil with a second from David Graziano. All members were in favor. Meeting adjourned at 7:50 p.m.

Respectfully submitted,
Jodi Keyser, Secretary