

Approved

ZONING BOARD OF APPEALS

October 20, 2015

Present: Michael Dudick, Chairman , Denise Bagramian, Michael Bloss, Randy Gifford,
Tony Morelli

Also Present: Joel Peller, ZBA Counsel
Steve Myers, Director, Building & Zoning

Absent: Jerry Cifor, Chris Lemire, Mario Fantini

Mr. Dudick called the meeting at 7:05 p.m.

PLEDGE OF ALLEGIANCE

Mr. Dudick informed the applicant this is a seven member board with one alternate. Tonight two of the board members and the alternate are absent. To receive approval an application one must receive 4 yea votes regardless of the number of members present. There are five members present tonight so the applicant must receive four out of five votes for approval. He explained the applicant has the option to defer to a future date when there might be more members present, but there are no guarantees how many members will be present at any meeting.

OLD BUSINESS

None

NEW BUSINESS

The secretary read the legal notice as it appeared in the Daily Gazette on October 15, 2015
An application from Bruce Davis & Michael King for a setback variance from Chapter 171-Table II; Required = 15'; Available = 4; Variance requested = 11'
Property is located at 863 Route 146, Clifton Park, NY 12065 (Permit #81058)

The application was presented by Terry Frasier, from Signtronix, representing Bruce Davis and Michael King. Mr. Frasier informed they are simply looking to place a new sign in the same location as the existing sign. He stated it will not be any closer to the road, but in the exact same location.

Mrs. Bagramian inquired whether the sign will be static or dynamic.

Mr. Frasier responded it will be static with internal lighting for visibility purposes, no glare or distraction, only a dim light.

Mr. Dudick asked Mr. Frasier if he has proper authorization to represent the applicant. Mr. Myers responded the owners had filled out the form incorrectly but he has already spoken to them about it. Mr. Frasier promised he will stop by the office and get the proper form from Mr. Davis tomorrow.

Mr. Gifford asked if the sign is the same size. Mr. Frasier said it is a little smaller, 4' x 5' (20 square feet compared to the existing sign which is 22 square feet.)

Mr. Dudick questioned if the only issue is setback. Mr. Frasier said that is correct..

Mr. Gifford asked if the other sign had a variance (for its location). Mr. Myers responded he had researched and found a permit from 1994 but found no variance but they were allowed to have the sign. He commented this is to clean up the record.

Mr. Dudick inquired whether this is comparable to the chiropractor's sign next door, asking if it is closer to the road.

Mr. Myers answered it is not, explaining the city right of way is very wide in that area which is why the setbacks are needed. Mr. Frasier said this sign will be in line with the other sign.

Mr. Dudick made the motion to close the public hearing as there was no one in the audience. Mr. Bloss seconded the motion. All approved. Public hearing closed.

Mr. Myers stated he has no issue with the application. He explained it is probably 15' off the edge of the pavement because the right of way is quite wide there.

Mr. Frasier informed it will be 22' from the curb.

Mr. Dudick made the motion to approved the application as submitted, pending receipt of the owner authorization form. He explained his decision is based on the fact the sign has a 20+ year history in that location and that it is small and backlit. He stated he does not feel this is a significant issue for that location.

Mr. Gifford seconded the motion.

Ayes: Bagramian, Dudick, Gifford, Morelli, Bloss Noes: none

Application approved pending the notarized owner authorization form is submitted.

Mr. Dudick made the motion to approved the minutes from the October 6, 2015 meeting. All approved. Mr. Gifford deferred as he had not been at that meeting.

The next meeting is November 17, 2015.

Mr. Bloss made the motion to adjourn. The motion was seconded by Mr. Morelli. All approved. The meeting was adjourned at 7:20 pm.

Respectfully Submitted,

Susan White
Secretary

cc: Town Clerk, Town Board, Town Attorney, Zoning Board Members, Joel Peller, Counsel, Steve Myers, Department of Building and Development, -, ECC, Assessor, Highway