

Town of Clifton Park Zoning Board of Appeals

One Town Hall Plaza
Clifton Park, New York 12065
(518) 371-6054
FAX (518) 371-1136



Zoning Board of Appeals

June 7th, 2022

Present: Chairman Michael Dudick, Jerry Cifor, Christopher Lemire, Mario Fantini,
John Klimes

Absent: Randy Gifford, Lisa McCoy, Scott Styles (alternate)

Also Present: Steve Myers, Director, Building and Zoning
Paula Cooper, Secretary
Neil Weiner Esq., Attorney

The meeting was called to order at 7:00 p.m.

All stood for the Pledge of Allegiance. Roll call was taken.

Mr. Dudick told the applicant that per Town Code that the applicant would need 4 out of 7 of the Board members to vote in favor of the application to pass. He let the applicant know that there are 5 voting members of the Board here tonight, so that 4 out of 5 members need to vote in favor tonight to grant the variances. He asked the applicant if they would like to come back at a later date or if they would like to proceed knowing the Board tonight needs to vote in favor of the application with at least 4 votes.

The applicants stated they would like to continue tonight knowing 4 out of 5 votes need to be in favor of the application tonight.

Old Business:

None

New Business:

An application from AJ Signs requests variance from Chapter 171, Sign Law, Table 1 which allows a maximum of 60 sf of wall signage divided between a maximum of two wall signs. Applicant requests three wall signs at 60 sf each (total 180 sf). Variances needed 1) one additional wall sign. 2) 180-60 = 120 sf additional. (Note: menu boards and associated signage are considered directional signage and allowed, posters are not illuminated and also allowed) Property is located at 9 Clifton Country Road, Clifton Park, NY 12065 (Permit #81329).

Applicant:

Tom Wheeler – AJ Signs – Mr. Wheeler stated that he is looking to get Smoothie King signs on the existing building so it can be seen coming from both directions on the road behind the building, as well as the wall facing Hannaford. Mr. Wheeler stated that the signs are needed to find the business and its location.

Public:

No public comment.

Mr. Dudick moved, second by Mr. Cifor to close the public hearing at 7:16 p.m.

Board:

Mr. Lemire asked if there would be a sign on the side of the building that fronts Clifton Country Road. Mr. Wheeler stated that they are not going to put a sign there, only on the north, south, and west sides of the building. Mr. Wheeler stated that the business would be going where the old NBT Bank was so it would not face Clifton Country Road. Mr. Lemire asked if the front door to the business faced Hannaford. Mr. Wheeler stated it would not but the entrance would face Blaze Pizza, and stated that because of this they are requesting 3 signs. Mr. Lemire asked if the sign would be visible from Clifton Country Road. Mr. Wheeler stated that the sign request on the north side would be. Mr. Lemire asked if the applicant could give up one sign which it would be. Mr. Wheeler stated that all signs are important for finding the business. Mr. Lemire stated that he believed that Friday's requested a third sign and so did Hannaford. He stated that they both have 2.

Mr. Dudick asked if the community would have to drive past the building to see the northern proposed sign. Mr. Wheeler stated that it would be visible if traveling from Staples. Mr. Myers stated that it would be visible from the north and south and the west may not be needed. Mr. Dudick asked if the applicant has the right to a freestanding sign. Mr. Myers stated they do without a variance but he does not know what the lease states.

Mr. Fantini asked what the space of this is compared to the coffee shop that is in the same building. Mr. Myers stated it is about the same, 6,000 sf.

Mr. Myers stated that this is a Type II action and that no further SEQR is required. Mr. Myers stated that both Core Life and Blaze had requested 3 signs and they only have 2 at a smaller size than requested. He stated that this is smaller than them and it would be a total of 60 sf divided between 2 signs. Mr. Wheeler stated that if they have to give up a sign, he would give up the one facing the plaza.

Mr. Dudick asked what the bank sign size was. Mr. Myers stated that he is not sure but probably around 32 sf, and Blaze has 2 signs totaling 88 sf and that he feels that this is not significant due to the sf of the company's footprint that is smaller than this application.

Mr. Wheeler stated that the channel letters can be considered smaller and crown measured separately. He stated with this measurement the signs would be 45 sf each which would be 90 sf for 2 totals. Mr. Wheeler stated that this would have him ask for a 30 sf variance.

Mr. Dudick stated that he appreciates the applicant decreasing the variance. He stated that the applicant is now looking for a variance of 2 signs with 90 sf total and since others have 2 signs with 88 total sf he is more comfortable with the application.

Mr. Fantini stated that he feels that 2 signs are appropriate as well and is consistent with other businesses and fits in the area.

Mr. Weiner clarified that the applicant is asking for 2 wall signs with a total of 90 sf of signage with a 2 box calculation and the variance would be for 30 sf.

Mr. Klimes moved, second by Mr. Fantini, to approve the variance for 2 signs with a total of 90 sf totals and a 30 sf variance with a 2 box calculation. The property is located at 9 Clifton Country Road, Clifton Park, NY 12065.

Mr. Klimes read the Variance Criteria, Mr. Klimes answered in favor to all criteria.

The Secretary called the Vote:

Ayes: 5

Noes: 0

New Business:

An application from AJ Signs requests variance from Chapter 171, Sign Law, Table 1, which allows a maximum of 60 sf total between two wall signs. Applicant requests 82 sf, 22 sf variance required. Property is located at 16 Fairchild Square, Clifton Park, NY 12065 (Permit #81330)

Applicant:

Tom Wheeler – AJ Signs – Mr. Wheeler stated that Grasshopper business is moving into the address noted and it is an industrial building in a park behind Single Cut. He stated that he knows that the sign seems large but the building is big and it helps allow people to find their location.

Public:

No public comment.

Mr. Dudick moved, second by Mr. Klimes to close the public hearing at 7:36 p.m.

Board:

Mr. Dudick asked how big the building is. Mr. Myers stated that it is 25,000 sf and the applicant will be taking half of it.

Mr. Lemire asked if the building can be seen from Van Patten Drive. Mr. Wheeler stated it is not visible from the road due to trees.

Mr. Klimes stated that he drives by the location almost daily and that he can barely see the building. Mr. Klimes asked if the trees would be cut or if they can to allow for more of a visual. Mr. Myers stated they cannot be cut due to green space requirements.

Mr. Cifor asked if the sign design was in a box configuration like the previously approved application. Mr. Wheeler stated that this is a box configuration. Mr. Dudick asked how it was broken up. Mr. Wheeler stated that the grasshopper is in one and the wording in another for the sf.

Mr. Myers stated that this is a type II action and that no further SEQR is required. He stated that a sign facing Van Patten is hard to see and that it can be seen by an emergency access road but the public cannot use this access. Mr. Myers stated that they do have a right to a freestanding sign but it is up to the landlord to allow it.

Mr. Klimes moved, second by Mr. Cifor, to approve the variance as requested. The property is located at 16 Fairchild Square, Clifton Park, NY 12065.

Mr. Klimes read the Variance Criteria, Mr. Klimes answered in favor to all criteria.

The Secretary called the Vote:

Ayes: 5

Noes: 0

The chairman made a motion to approve the minutes from the May 3rd, 2022 meeting. All who were present at the May 3rd, 2022 meeting voted in favor and the meeting minutes were approved.

Mr. Dudick, Chairman, made a motion to adjourn the meeting, Mr. Cifor second, all voted in favor and approval was unanimous. The meeting was adjourned at 7:40 p.m.

Mr. Myers stated that there are no applications for the June 21st, 2022 meeting.

The next scheduled ZBA meeting will be held on July 19th, 2022.

Respectfully submitted,

Paula Cooper

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Secretary, Zoning Board of Appeals