



**TOWN OF VESTAL  
ZONING BOARD OF APPEALS**

605 Vestal Parkway West  
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**ZBA BOARD MEMBERS:**

Chairman: Mark Tomko  
Members: Clayton Ellis  
Jerry Schultz  
Eugene Burns.  
Pat MacPherson  
Alternate: John Taylor  
Attorney: Matthew Butler

## Sign Review Board Decision.

**Hearing Date:** May 11, 2023

**Hearing Time:** 6:44 PM

**Business / Applicant Name:** Splash Car Wash

**Person(s) appearing on behalf of applicant:** Mike Grubka & Jason Frank

**Business Address:** 200 Vestal Parkway East, Vestal, NY 13850

**BCTM#:** 157.18-2-10

**Town Code Section Appealed:** Chapter 5, Article V, Division 4, Section 5-127.3(a)(8)(c), Chapter 5, Article V, Division 4, Section 5-124(r), and Chapter 5, Article V, Division 4, Section 5-127.3(12) of the Code of the Town of Vestal, Broome County, New York.

**Narrative of the Code:** Pertaining to having more than the permitted total sq. footage of signage, having more than the maximum total number of signs number of signs, and more than one electronic message sign on an individual parcel in a C-1, General Shopping Zoning District.

**Current Permitted Sign Sq. Footage:** 150 sq. ft.

**Current on-site Sq. Footage:** 146 sq. ft.

**Requested Sq. Footage Increase:** 149.2 sq. ft.

**Total Sq. Footage Requested:** 157.2 sq. ft.

**Requested Interpretation/Determination:** Current signage on the property is 146 sq. ft. where 150 sq. ft. is allowed by a prior ZBA variance approval dated 08/08/2019. 106 sq. ft. of signage is permitted by code. The applicant is requesting an additional 24.75 sq. ft. for 3 menu board display screens.

### Points of discussion by Board Members:

The sign Review Board must take into account the following:

- Are there other means to achieve the goal or benefit requested?
- Is this difficulty self created?
- Will the visual impact have an adverse effect on the environment?
- Is this a minimal or substantial request?
- Will the variance produce an undesirable change for the neighbors?

### Discussion:

The applicant is requesting to install 3 menu boards with logo's at 8.25 sq. ft. each for an additional 24.75 sq. ft. Upon inspection, the current on-site signage is as follows;

- 2 – ground/pylon signs and 1 – wall sign/logo totaling 146 sq. ft.
- 3 – menu boards @8.25 sq. ft. each for 24.75 sq. ft.
- 2 – logo's on each of the 3 pay kiosks @ unknown sq. ft. each
- 1 – logo on “free air” station @ unknown sq. ft. each.
- 3 - logo's on “Unlimited Wash Club” stands @ unknown sq. ft.
- 2 – sandwich boards (1 permitted by code)
- 1 – “Open” feather flag place out intermittently (not permitted by code)

This puts the applicant 20+ sq. ft. over previous variance permitted, 16 signs where 6 are permitted by code, 2 sandwich boards where 1 is permitted by code, and 6 electronic message signs where 1 is allowed by code.

The applicant apologized to the Board for not following the guidelines for the sign code and reviewed the plans and reasoning for the signs for this business. The 3 menu boards are placed at each lane to allow customers to proceed much quicker through the process to prevent traffic backups and the placement does not face traffic thus preventing any hinderance or adverse effect on the surroundings. After numerous questions and back-and-forth conversations about what is a sign and what is allowed, the applicant decided they could remove some electronic and vinyl logos and the feather flag and revised their request to the following:

- 2 – ground/pylon signs and 1 – wall sign/logo totaling 146 sq. ft.
- 3 – logos on each pay kiosk @ 0.2 sq. ft. each (approximately)
- 2 – sandwich board signs

Based on the new proposal, the applicant would need a 1 total sign variance to allow 7 signs where 6 are permitted, and a 1 sandwich board variance to allow 2 sandwich boards where 1 is permitted.

The meeting was opened to the public. The public portion of the meeting was closed as no members of the public were present or wished to be heard.

**Decision:**

**Motion by:** Clayton Ellis

**2<sup>nd</sup> by:** Eugene Burns

**Motion:** To approve a 1 sign variance to allow 7 total signs and a 1 sandwich board variance to allow 2 sandwich boards at BCTMP # 157.18-2-10 a.k.a. 200 Vestal Parkway East, Vestal, NY 13850 as modified and presented to the Board.

**Conditions to Motion:** Applicant has 30 days to remove the vinyl and electronic logos on the menu boards, “free air” and pay kiosks.

| <b>Vote:</b> | <b>Aye</b>   | <b>Nay</b>  |                      |                     |
|--------------|--------------|-------------|----------------------|---------------------|
| MT:          | <u>  X  </u> | <u>    </u> |                      |                     |
| CE:          | <u>  X  </u> | <u>    </u> |                      |                     |
| JS:          | <u>  X  </u> | <u>    </u> |                      |                     |
| EB:          | <u>  X  </u> | <u>    </u> |                      |                     |
| PM:          | <u>  X  </u> | <u>    </u> |                      |                     |
| JT:          | <u>    </u>  | <u>    </u> | Passed: <u>  X  </u> | Failed: <u>    </u> |

The request for the **above variances** is hereby **GRANTED** by a 5-0 unanimous vote.

The Code Enforcement Officer is herewith authorized to take the necessary action to carry out the provisions of this Decision.

Dated: May 20, 2023

ZONING BOARD OF APPEALS  
OF THE TOWN OF VESTAL

BY:   
Mark Tomko, Chairman