



**TOWN OF VESTAL
ZONING BOARD OF APPEALS
605 Vestal Parkway West
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ZBA BOARD MEMBERS:

Chairman: Jennifer Kakusian
Members: Mark Tomko
Tom Smallcomb
Thomas Jackson, Jr.
Alternates: Eugene Burns
John Taylor
Attorney: Matthew Butler

Sign Review Board Decision.

Hearing Date: October 22, 2020

Hearing Time: 6:40 PM (scheduled) 7:22 (Held)

Business / Applicant Name: Greg Fishel-Allied Sign / The Halal Guys

Person(s) appearing on behalf of applicant: Greg Fishel (Allied Sign)

Business Address: 4700 Vestal Parkway East, Vestal, NY 13850

BCTM#: 159.15-2-37.1

Town Code Section Appealed: Chapter 5, Article V, Division 4, Section 5-127.5(d)(2)(a)

Narrative of the Code:

Wall Signs. One (1) wall sign is permitted for each individual tenant space as allowed below:

a. For tenant spaces up to fifty (50) linear feet of store front width, wall sign length shall not exceed one-third (1/3) of the tenant store front width with a total sign area not to exceed forty (40) square feet.

Current Permitted Sign Length: 6' 6"

Current on-site Length.:

Requested Length Increase: 9' 2"

Total Length Requested: 15' 4"

Other Change Requested: No other change is requested.

Requested Variance: to install a wall sign 15' 4" in length where 6' 6" would be permitted by code.

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?

Decision:

Motion by: Eugene Burns

2nd by: Tom Smallcomb

Motion: To allow a variance of 9' 2" +/- for non-conformity with Chapter 5, Article V, Division 4, Section 5-127.5(d)(2)(a) for excess signage length at BCTM # 159.15-2-37.1 aka 4700 Vestal Parkway East, Vestal, NY 13850 to allow a 15' 4" wall sign where 6' 6" is permitted by code as presented to the Board.

Conditions to Motion: No conditions to this motion.

Items of Discussion:

Discussion around the sign focused on the overall length requirement for a store front in a shopping plaza. This came about when plaza's usually had a package plan for the plaza and stores were generally larger in size and square footage. The size requested is a 9' 2" increase over permitted (183%) length but within the total square footage allowed by code. As tenants/spaces are vacated and reconfigured for new tenants many times this length requirement becomes essentially out of proportion.

Greg Fishel offered that the sign will not the character of the plaza and is more uniform in size with the surrounding tenants. A smaller length sign to fit code would reduce the visibility and would not be very visible from the roadways within or external to the plaza. In addition, the overall sign size is still within the square footage allowed by code. Image of sign at code and as requested were presented in the package.

Eugene Burns offered that he is in support of this as this is consistent with other signs and is appropriate.

Vote:	Aye	Nay	
CE:	<u> X </u>	<u> </u>	
MT:	<u> X </u>	<u> </u>	
TS:	<u> X </u>	<u> </u>	
TJ:	<u> </u>	<u> </u>	
EB:	<u> X </u>	<u> </u>	
JT:	<u> </u>	<u> </u>	Passed: <u> X </u> Failed: <u> </u>

Dated: October 23, 2020

Affirmed by: 
Mark J Tomko (Acting Chair ZBA)