



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 McPherson
Alternate: John Taylor
Carolyn Almy
Attorney: Matthew Butler

Sign Review Board Decision.

Hearing Date: March 14, 2024

Hearing Time: 6:15 PM

Business / Applicant Name: Allied Sign/Greg Fishel for Ross Dress for Less

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

Business Address: 3124 Vestal Pkwy. E., Vestal, NY 13850

BCTM#: 158.15-1-1.12

Town Code Section Appealed: Chapter 5, Article V, Division 3, Section 5-124(t) of the Code of the Town of Vestal, Broome County, New York.

Narrative of the Code: Pertaining to having more than the permitted number and total sq. footage of temporary signage in a C-2, Community Business zoning district.

Current Permitted Sign Sq. Footage: 50 sq. ft.

Current on-site Sq. Footage: 0 sq. ft.

Requested Sq. Footage Increase: 350.6 sq. ft.

Total Sq. Footage Requested: 400.6 sq. ft.

Requested Interpretation/Determination: The applicant is requesting to install 13 different temporary signs on a changing basis, where 2 temporary signs are permitted; also, requesting a total of 400.6 sq. feet of temporary signs on a changing basis, where a total of 50 sq. feet is permitted.

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 is requesting to install 13 different temporary signs/banners on a rotating basis, "Coming Soon" and "Opening Soon" along with a "Now Hiring" banner, for the Ross Dress for Less location now under construction as outlined in the package. The applicant is proposing to start displaying the signs as follows;

March 11, 2024 - 1 "Coming Soon" banner on the facade and window 2 banners

August 12, 2024 – take down the "Coming Soon" banner and install the "Opening Soon" and "Now Hiring" banners on the facade and keep the window banners as well as install 4 "Coming Soon" triangle pylon signs over the Ross Pylon signs.

October 11, 2024 – Opening Day – Remove the "Opening Soon" banner and replace with "Now Open" banner and remove the "Now Hiring" banner and "Coming Soon" triangle pylon signs.

The applicant states that they know this is a big ask and that the request for a "Coming Soon" pole sign was being removed from the request as this was only used for new builds/construction, not renovations. The precedent this sets if allowed was also debated and weighed into the conversation as well as the timing as it relates to Town Code of 2 temporary signs being allowed for a two week period for up to 6 cycles. Applicant also states that these dates are not "fixed" as the renovation schedule may or may not change as the store is being renovated.

The meeting was opened to the public for comment. No one from the public was present so the public portion of the meeting was closed as no other members of the public were present or wished to be heard.

Decision:

Motion by: Clayton Ellis

2nd by: Carolyn Almy

Motion: To approve the temporary sign package at BCTMP # 158.15-1-1.12 a.k.a. 3124 Vestal Pkwy. E., Vestal, NY 13850 as presented and modified to be;

May 11, 2024 -- allow installation of 3 "Coming Soon" banners (one on facade and 2 window banners)

August 12, 2024 -- Take down the "Coming Soon" facade banner and replace with "Opening Soon" banner, install the "Now Hiring" facade banner and install the 4 triangle pylon "Opening Soon" signs

Upon Issuance of Certificate of Occupancy - (on or about October 11, 2024) Take down the "Opening Soon" and "Now Hiring" facade banners, the 2 "Opening Soon" window banners and the 4 "Opening Soon" triangle pylon signs and install the "Now Open" banner on the facade which can stay up for a period of 6 weeks

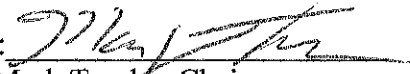
Vote:	Aye	Nay		
MT:	<u> X </u>	___		
CE:	<u> X </u>	___		
JS:	___	___		
EB:	___	___		
PM:	<u> X </u>	___		
JT:	<u> X </u>	___		
CA:	<u> X </u>	___	Passed: <u> X </u>	Failed: <u> </u>

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: March 19, 2024

**ZONING BOARD OF APPEALS
OF THE TOWN OF VESTAL**

BY: 
Mark Tomko, Chairman