



**TOWN OF VESTAL
ZONING BOARD OF APPEALS**
605 Vestal Parkway West
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ZBA BOARD MEMBERS:
Chairman - Mark S. Johnson
Mark Tomko
Tom Smallcomb
Paul Houle
George Gerner
Attorney - Matt Butler, ESQ.
Alternate: Eugene Burns

Sign Review Board Decision.

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APR 05 2016

Hearing Date: March 31, 2016

Hearing Time: 6:15 pm

Business / Applicant Name: CopperTop Tavern

TOWN CLERK'S OFFICE

Person(s) appearing on behalf of applicant: Michael Pfohl Owner-Allied Sign Co.

Business Address: 4700 Vestal Parkway East. Vestal, N.Y.

BCTM#: 159.15-2-37.1

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

Narrative of the Code:

Sec. 5-127.5. Shopping plaza signs.

(d) Signs for existing shopping plazas shall be allowed as follows:

- (2) Wall signs. One (1) wall sign is permitted for each individual tenant space as allowed below:
 - b. For tenant spaces with greater than fifty (50) linear feet of store front width, wall sign length shall not exceed one-third ($\frac{1}{3}$) of the tenant store front width with a total sign area not to exceed seventy (70) square feet and a total height not to exceed five (5) feet.

Current Permitted Sq. Footage: N/A

Current on site Sq. Ft.: N/A

Requested Sq. Footage Increase: N/A

Total Sq. Ft. Requested: N/A

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Requested Variance: applicant request a sign which is greater in height than the maximum five (5) feet high.

Points of discussion by Board Members: Sign Illuminated, lettering and borders are lit by LED s. Sign is smaller than Tully's next door, a height restriction would reduce the lettering and make it difficult to read.

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: Johnson

2nd by: Smallcomb


Motion: To grant a a 15" +/- height variance for a wall sign at 4700 Vestal Parkway East, , BCTM# 159.15-2-37.1 to CopperTop Tavern, as presented to the board.

Conditions to Motion: None

Additional Items of Discussion: None

Vote:	Aye	Nay	Passed:	Failed:
M Johnson:	<u> X </u>	<u> </u>	<u> X </u>	<u> </u>
M Tomko:	<u> </u>	<u> </u>		
T Smallcomb:	<u> X </u>	<u> </u>		
P Houle:	<u> </u>	<u> </u>		
G Gerner:	<u> </u>	<u> </u>		
E Burns:	<u> X </u>	<u> </u>		

Dated: 04/01/2016

Affirmed by: 
(Chairman ZBA)