

Village of Geneseo  
Zoning Board of Appeals  
Public Hearing for:  
ABVI-Goodwill, Rep.: Ralph Wehner  
Address: 4119 Lakeville Road  
Tax Map Id. # 81.14-1-6  
January 3, 2012, 4:30 p.m.

Present:

Carolyn Meisel, Chair  
Marlene Hamilton  
Paul Schmied  
Bruce Teall  
Thomas Wilson

Code Enforcement Officer:

Ronald Maxwell

Applicant:

Ralph Wehner, Director of Facilities

Secretary:

Debra Lund

Public:

None

Chair C. Meisel opened the meeting and public hearing at 4:30 p.m. The hearing was in response to an appeal by ABVI-Goodwill Representative Ralph Wehner for permission to erect a building sign that exceeds the eleven (11) square feet granted by the variance at the May 5, 2010 public hearing; a replacement sign of thirty-eight and nine-tenths (38.9) square feet is being sought. Members of the Board were introduced. Nine notices were sent via certified mail and eight receipts were returned; courtesy copies were sent to businesses in the area. Proper notices were published and the Planning Board of Livingston County was notified. Livingston County responded the application was reviewed and a determination of no significant Countywide or inter-municipal impact was reached. Approval or disapproval of this application is a matter of local option. The Planning Board of the Village of Geneseo sent a letter stating they did not have any problems with the application but would like to see smaller letters.

Chair C. Meisel invited Representative R. Wehner to state his case.

ABVI-Goodwill Representative R. Wehner responded he has a new drawing for the Board with the smaller lettering requested by the Planning Board and presented the new drawings to the Board. The current sign cannot be read when entering the lot from the street; this has led to a decrease in donations since the removal of the box in the lot. Attached to the new drawing was a list of donations from September to December with a drastic reduction in the number of Geneseo store donations; a comparison of other stores with larger donation signs was included. He would like to see these numbers come back up. This benefits customers and workers alike.

M. Hamilton asked how big the requested sign was compared to the original variance; the proposed sign looks much bigger. She noted the area the sign will occupy looks to be quite a large expanse. The old sign was eleven (11) square feet.

C. Meisel asked if there was any other way to bring the donation numbers back up. She suggested more advertising might be helpful or putting a box back in. R. Wehner would prefer not to put a box back in the lot. Often items too large for the box were left outside it and ruined in inclement weather. Currently over size items can be left under the overhang and are protected except in a driving rain. ABVI-Goodwill does intend to do more advertising in the near future.

He said people do not know they can donate at the store; he gets many questions asking if it is possible. Hopefully, a larger sign would help with this as well.

C. Meisel noted the Movie Theater in the Geneseo Square Plaza had come before the Board in the past and asked for a larger sign. This was allowed since people slowed to find out what was playing rather than driving into the plaza and it was granted under the previous code. However, it was decided most customers should drive into a plaza to see what stores were there.

M. Hamilton asked how much over the allowed signage the proposed sign would be. R. Wehner said he did not remember but Wal-Mart has more signage. P. Schmied remarked the signage was allowed by the Code then. Code Enforcement Officer R. Maxwell commented the signage was changed so that all signs were included in the allowed square footage. When Wal-Mart went in, they were under the old rules and the signs on the plaza pylons was not included in the allowed square footage for the buildings.

T. Wilson noted the current sign is lit and asked if the proposed sign would be as well. R. Wehner noted it would be.

C. Meisel wondered if night donations were permitted; R. Wehner stated they are not but donations can be left on the apron under the overhang and collected the next day.

T. Wilson said he drove into the plaza and could read the sign from inside the parking lot but not from the street. He associates Goodwill with donations but understands many people do not. R. Wehner responded he has people coming into the store all the time asking if they accept donations and many are unsure of the policy.

P. Schmied said the Planning Board letter stated they would like to see a smaller sign than the one originally requested on the permit as it was considerably larger than many other forthcoming signs. While still substantial in size, the drawing presented at the hearing was smaller. R. Wehner remarked ABVI-Goodwill has had a very good relationship with the community and he hopes to continue to do so. M. Hamilton said the community center is very nice.

Chair C. Meisel noted this is an area variance and a type two action that does not require a SEQR. C. Meisel stated it was so noted that the proposed action has been considered under SEQR and has met the requirements for a Type II action: the proposed action is not environmentally significant.

Chair C. Meisel asked if there were further questions. There were none and the checklist questions were reviewed.

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance? Yes \_\_\_\_\_ No  X
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? Yes \_\_\_\_\_ No  X  A donation box could be put in but it is not practical.
3. Is the requested variance substantial? Yes  X  No \_\_\_\_\_ A large sign fits the location well as it is a large area, aesthetically appealing.
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes \_\_\_\_\_ No  X
5. Is the alleged difficulty self-created? Yes  X  No \_\_\_\_\_

With no further discussion, P. Schmied moved to grant permission to ABVI-Goodwill - represented by Ralph Wehner, to erect a building sign that exceeds the eleven (11) square feet granted by variance at the May 5, 2010 Zoning Board of Appeals Public Hearing; a "Donation

Center” replacement sign to be thirty-two (32’) square feet (10’8 ¾” long X 3’9 ¼” high) per the drawing presented at the January 4, 2012 ZBA Public Hearing is granted. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel – aye; M. Hamilton – aye; P. Schmied – aye; B. Teall – aye; and T. Wilson – aye. The motion carried.

The minutes of the Herlihy-November 01, 2011 public hearing were reviewed. T. Wilson moved to approve the minutes as presented and B. Teall seconded the motion. The vote was as follows: Chair C. Meisel – aye; M. Hamilton – aye; P. Schmied – aye; B. Teall – aye; and T. Wilson – aye. The motion carried.

M. Hamilton moved to close the public hearing and the meeting; T. Wilson seconded the motion. The public hearing and meeting closed at 4:50 p.m. All were in favor.

Debra L. Lund