

Village of Geneseo  
Zoning Board of Appeals  
Public Hearing For: Cyclepath, Rep.: Michael Duke  
Address: 79 Main Street  
Tax Map ID. # 80.12-2-39  
September 04, 2012; 4:40 p.m.

Present:

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

Code Enforcement Officer:

Ronald Maxwell

Secretary:

Debra Lund

Applicant:

Michael Duke, Cyclepath owner & representative

Public:

Michael McCarthy, Sonbyrne Sales, Inc.

Chair C. Meisel opened the public hearing at 4:40 p.m. Members of the Board were introduced. It was noted proper publication was printed, the County Planning was notified and returned a letter stating there was a determination of “no Significant Countywide Impact”; therefor approval or disapproval is a matter of local option. The applicant sent thirteen (13) certified return receipt notices and received thirteen (13) cards back. The purpose of the hearing was permission to erect signage that fails to meet Section 130-91 D (1) of the Code of Geneseo: signage not to exceed an area of one (1) square foot of sign per linear foot of frontage ... an eleven (11) square foot variance was being sought. Chair C. Meisel invited M. Duke to state his case.

M. Duke noted the size of the sign cannot exceed one (1) square foot of signage per linear foot of store frontage. However, he is located at the corner of Main Street and Center Street. The store fronts Main Street but has a narrow front, twelve and one-half (12 ½’) feet wide and the Center Street side is approximately seventy (70’) feet long. The Center Street side is a long empty wall and it made sense to put his sign there for visibility.

C. Meisel asked if Cyclepath had a sign on the front of the building. M. Duke replied he does but it is an interior sign in the front window. He has an awning which would block an exterior sign from view.

CEO R. Maxwell noted the code allows two signs for a corner location but the signage would need to be split between the two sides for no more than a total of fifty (50) square feet per Code no matter how much frontage the store has. Since the allowed signage is 12.5 sq ft, he could divide that amount between both sides.

T. Wilson suggested the large area of the Center Street side should be considered since it is a large blank area approximately seventy (70’) feet long. The size of the sign seems in proportion to the space it will occupy.

M. Hamilton asked if the silhouette would still be placed on the building if the sign was granted; she was in favor of the silhouette and did not consider it part of the signage. It gives the building a very nice appearance. M. Duke said yes, he did intend to have the silhouette.

Chair C. Meisel informed the Board of a decision reached at the Sign Procedures Meeting held last week. It was agreed the Zoning Board would confine their decision to the requested area variance and signs would come to the Zoning Board first. If the variance is granted, the sign applicant would then go before the Planning Board for sign design criteria. This should streamline the process for the applicant and save going back and forth between boards.

CEO R. Maxwell said he believed one outcome of the meeting was that Cyclepath should not have to go back to the Planning Board for further approval as the Zoning Board will only be deciding on size of the sign.

With no further discussion, the 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
3. Is the requested variance substantial? Yes \_\_\_\_\_ No  X   
Not when the blank side of the building is taken into consideration and the front is so small.
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  2  No  3

It was noted this variance is a Type II action and 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.

P. Schmied moved to approve the request to erect a twenty-four (24) square foot sign on the Center Street side of the store located at 79 Main Street with the condition that there will be no exterior sign placed on the Main Street side of the establishment as per the drawings presented at the September 04, 2012 public hearing, and with the final design criteria as approved by the Planning Board of the Village of Geneseo. 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 passed.

M. Duke thanked the Board and departed the meeting. P. Schmied moved to close the public hearing; M. Hamilton seconded the motion. All were in favor and the hearing closed at 4:48 p.m.

Debra Lund  
Secretary