

Village of Geneseo
Zoning Board of Appeals
Applicant:
Saxton Sign Company representing
Mavis Discount Tires
Property Address: 4181 Lakeville Road
Tax map Id. #: 81.10-1-2
March 1, 2016; 4:30 p.m.

Present:

Carolyn Meisel, Chair
Marlene Hamilton
Robert Meyers
Paul Schmied
Thomas Wilson

Code Enforcement Officer:

Ronald Maxwell

Secretary:

Debra Lund

Public:

David Matthews, Design One Architecture & Planning
Mark Scoville

Applicant:

Bridgette Shoemaker, Saxton Sign Corp.
representing Mavis Discount Tire

Chair C. Meisel opened the meeting and the public hearing at 4:30 p.m. Board members were introduced. It was noted proper notices had been published, six legal notices were sent to property owners within 100' of the property boundaries and five green cards were returned. Livingston County Planning Department has reviewed the application and determined that it has no significant Countywide or inter-municipal impact in regard to existing County plans, programs, and activities. Approval or disapproval of the application is a matter of local option. The application is for a second wall sign for Mavis Discount Tire where Section 130-90 B (1) of the Code of the Village of Geneseo that allows one wall sign not to exceed one square foot for each linear foot of width of the front of the wall of the building...or a maximum of 100 square feet, whichever is less. The applicant was invited to state her case.

B. Shoemaker wanted to clarify that she did not represent Goddard Development, the property developer but only Mavis Discount Tire, the tenant on the Lakeville Road property. They would like a second sign on the west facing wall of the building so that it may be seen by plaza customers entering/exiting the plaza. Plaza traffic was watched and it was determined this would be a good way to attract possible future customers. There are no homes in the surrounding area as it is a business area.

Chair C. Meisel asked if the business exceeded its sign limit if the variance was be granted. CEO R. Maxwell said that was correct, the proposed sign is fifty-six (56) square feet. It would exceed the Code limit by sixty-five (65) square feet. The Code limits building signage to one wall sign not to exceed one square foot for each linear foot of width of the front of the wall of the building not to exceed a maximum of 100 square feet. Mavis Discount Tire already has a wall sign facing Lakeville Road.

B. Shoemaker replied Mavis Discount Tire would like the west wall sign to mimic the sign on the front of the building. She has done several signs for them at various locations. This location is unique as it is not a corner lot and Mavis Discount Tire does not own the property.

T. Wilson asked if the sign was granted, would Mavis Discount Tire be able to come back and ask to be placed on a monument or a free standing directory sign. CEO R. Maxwell replied a business may have only one sign of a particular type and a second sign of another category; for example, one wall sign and one directory sign but not a second wall sign. The proposed wall sign is a second building wall sign and exceeds the total allowed wall signage by twelve (12) square feet. They would need another variance to be placed on a monument or free standing directory sign.

T. Wilson asked B. Shoemaker if Mavis Discount Tire would consider the monument sign when the rest of the parcel is built out. Mavis Discount Tire felt the monument sign might not be seen and she could not answer whether one would be built as that is up to Goddard Development and not her client. CEO R. Maxwell reminded the Board that once a variance is granted it is permanent. Goddard Development could ask for a monument or free standing directory sign when and if Dunkin' Donuts is built. They also have plans for another business on the end of the Dunkin' Donuts building. He wondered if the west end sign would be visible through the proposed building. At this point, the Dunkin' Donuts is in the conceptual stage and he does not know what the proposed height of the building will be.

M. Hamilton questioned the need for the proposed sign as the building is quite large and very visible on a main highway with a low speed limit. It can be easily seen. B. Shoemaker clarified the sign being requested is for the west end of the building and faces the plaza not the main highway. Mavis Tire hopes to draw customers from plaza customers noticing the signage as they enter/exit the plaza businesses.

R. Meyers asked if Mavis Discount Tire would be o.k. with their business listed on a monument or directory sign rather than the building sign. B. Shoemaker replied Mavis Discount Tire would prefer to have both but that sign is up to the builder and not yet being built. She has worked with Mavis Discount Tire and would like to see their sign granted. They could then work with the property developer if the other option becomes available. She has been working with R. Maxwell on the south facing sign and it will be goose neck lit; the proposed west side sign will match the front one. Neither sign would be internally lit; the wiring is there but is capped off.

R. Meyers asked C. E. O. R. Maxwell if there was a time frame for the future Dunkin' Donuts going up. R. Maxwell said the last Planning Board meeting brought up issues with the parking availability and the drive-through suggested. The plans have gone back to the drawing board so he does not have a time frame. R. Meyers suggested the Zoning Board might grant the proposed west facing sign with the caveat that the sign come down if Mavis Discount Tire asks for space on the monument or directory sign. Perhaps Mavis Discount Tire would consider not putting up the west facing sign for the time being and see what happens with the Dunkin' Donuts building. B. Shoemaker replied Mavis Discount Tire has always owned the building lot before. This is an unusual situation for them. She is the sign company representative and cannot speak for Mavis Discount Tire but felt from her long association with them, (she has done several other signs for them), that they might be willing to work out a trade if a monument sign goes up.

C.E. O. R. Maxwell suggested the Board consider adding to the variance if granted, that Mavis Discount Tire would have to come back to the Zoning Board for any changes to signage and that Mavis

Discount Tire stay within the one-hundred (100) square feet total allowed by the code. He further suggested the variance stipulate the sign will be gooseneck lit and not internally lit. T. Wilson seconded R. Maxwell's suggestions.

B. Shoemaker was not sure the sign could be done in a smaller size. Mavis Discount Tire manufactures the signs and she believes the proposed sign is the smallest one they make. It would be a big cost to resize it but would be willing to gooseneck light it to match the front building sign. T. Wilson did notice the area for the sign is a pre-prepared panel built for the size sign requested.

C. Meisel said Mavis Discount Tire may have the building sign but not the monument sign too. They must make a choice. She suggested the public hearing could be adjourned and come back in two weeks while B. Shoemaker consults with her clients. M. Hamilton would also like her to discuss the one-hundred (100) square feet limit with them and consider reducing the size of the sign. B. Shoemaker asked the public hearing be adjourned for a short time and let the next public hearing go forward while she contact her clients and asked how they would like her to proceed.

Chair C. Meisel said the Board would be willing to do so. P. Schmied moved to adjourn the Mavis Tire public hearing at 4:47 p.m. with a second from M. Hamilton. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The public hearing adjourned.

The public hearing reconvened at 5:10 p.m.

B. Shoemaker did some research and found there is a smaller size sign in stock at forty-two (42) square feet. The revised sign would be Twenty-one (21) feet long instead of the proposed twenty-eight (28) feet seven (7) inches; height would remain at two (2) feet. It could be goose-neck lit to match the front building sign. Mavis discount Tire would like to go forward with the sign request at the smaller sign size and would be o.k. with a clause in the variance stating the west facing building sign must come down if they are placed on a monument or directory sign at some point in the future. She was authorized by Mavis Discount Tire to agree to this proposal. They want a good business relationship with the Village and the Town.

C. E. O. R. Maxwell asked for clarification. He understood she was proposing a sign colored as per the original sign drawing presented with the only modification being the sign size of forty-two (42) square feet, twenty-one (21) feet in length, two (2) feet in height and to be goose-neck lit. He asked B. Shoemaker to send him a drawing for his file showing the new measurements with the colors, placement, and so forth as per the original presented to the Board. B. Shoemaker said she would get a copy to him. She changed a drawing as a temporary for the file to show the changes to be made.

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
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 _____

It was noted this is an area variance and a type two action that does not require a SEQR. It was so noted that the proposed action has been considered under SEQR; per regulation 1) maintenance or repair involving no substantial changes in an existing structure or facility; and has met the requirements for a Type II action: the proposed action is not environmentally significant.

T. Wilson moved to approve a second wall sign for the west wall for Mavis Discount Tire not to exceed forty-two (42) square feet in size, twenty-one (21') feet long by two (2') feet high and to be externally goose-neck lit where the Code of the Village of Geneseo allows one wall sign not to exceed one square foot for each linear foot of width of the front of the building or a maximum of one-hundred (100) square feet, whichever is less, on property located at 4181 Lakeville Road, tax map Id. # 81.10-1-2 with the added stipulation that Mavis Discount Tire must return to the Zoning Board of Appeals for any changes to signage. The sign must match the original drawing presented to the Board with the exception of the changed sign dimensions. P. Schmied seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The motion carried.

WHEREAS, The Village of Geneseo Zoning Board of Appeals, hereinafter referred to as Zoning Board, has considered the above referenced area variance application, and

WHEREAS, the Zoning Board has reviewed the public record on said Action,

WHEREAS, the Zoning Board has reviewed the application submitted by Saxton Sign Corporation representing Mavis Discount Tires submitted October 28, 2015 and received in the Village Clerk's Office December 08, 2015 and,

NOW, therefor, be it resolved that the Zoning Board of Appeals approves a second wall sign for the west wall for Mavis Discount Tire not to exceed forty-two (42) square feet in size, twenty-one (21') feet long by two (2') feet high and to be externally goose-neck lit on property located at 4181 Lakeville Road, tax map Id. # 81.10-1-2 with the added stipulation that Mavis Discount Tire must return to the Zoning Board of Appeals for any changes to signage. The sign must match the original drawing presented to the Board with the exception of the changed sign dimensions.

The above resolution was offered by Thomas Wilson and seconded by Paul Schmied on March 01, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Chair Carolyn Meisel: aye

Marlene Hamilton: aye

Robert Meyers: aye

Paul Schmied: aye

Thomas Wilson: aye

B. Shoemaker thanked the Board and exited the meeting and public hearing at 5:20 p.m.

P. Schmied moved to close the public hearing at 5:22 p.m. R. Meyers seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The motion carried.

Discussion of upcoming events related to the Zoning Board of Appeals followed. The minutes of the January 5, 2016 Hilimire public hearing were reviewed. M. Hamilton moved to approve the minutes as presented; T. Wilson seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; and T. Wilson, aye. P. Schmied abstained due to absence. The motion carried.

T. Wilson moved to close the meeting at 5:40 p.m. with a second from M. Hamilton. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; R. Meyers, aye; P. Schmied, aye; and T. Wilson, aye. The motion carried.

Debra Lund
Secretary