

Town of Geneseo Zoning Board of Appeals

Applicant: Frant Corp, Arby's

Signage Variances

Property Address: 4419 Genesee Valley Plaza

Tax Map#: 81.-1-29.121

November 29, 2022 @ 7:30 pm

Members Present:

John Maxwell, Chair

Ken Book, Member

Mike DaBramo, Member

Carolyn Meisel, Member

Donald Kearney, Member

Michael Millard, Alternate

Other Town Representatives Present:

Debbie Streeter, Clerk/ZBA Secretary

Jared Radesi Code Enforcement Officer

Public Present: Frank Mugnola and Chris Lutz

Chair John Maxwell opened the tabled meeting at 7:35 pm. At the last meeting, the Board agreed to table the meeting until Jared Radesi Code Enforcement Officer could be present.

Chair Maxwell invited Frank Mugnola and Chris Lutz to the table. Frank explained the reason Arby's is requesting three signage variances. The company has no option on the lease for a plaza sign and is the reason for the sign variance for the east and west side of the building. Frank explained they have no other options for the two drive-thru menu boards, corporate only offers one. Code is 12 sq. ft., and the drive thru signs are approximately 49 sq. ft.

J. Radesi CEO stated they are meeting code with the two drive thru lanes for the minimum of 10 cars staging requirement.

Ken Book is opposed to the east and west side sign variances; people will know it is Arby's. Frank stated it is a safety and awareness issue. Mike DaBramo asked if the signage would be in the red strip, yes.

Chair Maxwell directed the board to answer the 5 questions for the West Side Building Sign.

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?

Chair Maxwell – No

Member Book – No

Member Kearney – No

Member DaBramo – No

Member Meisel – No, it is inside a commercial plaza.

2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance?

Chair Maxwell – No

Member Book – No

Member Kearney – No

Member DaBramo – No

Member Meisel – No, can't be on the larger plaza sign.

3. Is the requested variance substantial?

Chair Maxwell – Yes

Member Book – Yes

Member Kearney – Yes

Member DaBramo – Yes, three signs total verses one permitted by zoning regulations.

Member Meisel - Yes

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Chair Maxwell – No

Member Book – No

Member Kearney – No

Member DaBramo – No

Member Meisel - No

5. Is the alleged difficulty self-created?

Chair Maxwell – Yes

Member Book – Yes

Member Kearney – Yes

Member DaBramo – Yes

Member Meisel – Yes

Chair Maxwell directed the board to answer the 5 questions for the East Side Building Sign.

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?

Chair Maxwell – No

Member Book – No

Member Kearney – No

Member DaBramo – No

Member Meisel - No

2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance?

Chair Maxwell – No
Member Book – No
Member Kearney – No
Member DaBramo – No
Member Meisel - No

3. Is the requested variance substantial?

Chair Maxwell – Yes
Member Book – Yes
Member Kearney – Yes
Member DaBramo – Yes, three sign total versus one allowed by zoning regulations.
Member Meisel – Yes, more signage than what is allowed.

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Chair Maxwell – No
Member Book – No
Member Kearney – No
Member DaBramo – No
Member Meisel - No

5. Is the alleged difficulty self-created?

Chair Maxwell – Yes
Member Book – Yes
Member Kearney – Yes
Member DaBramo – Yes
Member Meisel - Yes

Chair Maxwell directed the board to answer the 5 questions for the Two Drive Thru Menu Boards.

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?

Chair Maxwell – No
Member Book – No
Member Kearney – No
Member DaBramo – No
Member Meisel - No

2. Can the benefit sought by the applicant be achieved by some feasible method other than the variance?

Chair Maxwell – No
Member Book – No
Member Kearney – No

Member DaBramo – No, dictated by Arby's Corporation.

Member Meisel – No, corporate gave no options

3. Is the requested variance substantial?

Chair Maxwell – Yes

Member Book – Yes

Member Kearney – Yes

Member DaBramo – Yes, 49 sq. ft. versus 10 allowed by zoning 500% variance

Member Meisel - Yes

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Chair Maxwell – No

Member Book – No

Member Kearney – No

Member DaBramo – No

Member Meisel - No

5. Is the alleged difficulty self-created?

Chair Maxwell – Yes

Member Book – Yes

Member Kearney – Yes

Member DaBramo – Yes

Member Meisel - Yes

D. Kearney made a motion to approve the 9.5' variance for the west side building sign. Seconded by K. Book, motion carried with all ayes from Chair Maxwell, M. DaBramo, and C. Meisel.

C. Meisel made a motion to approve the 9.5' variance for the east side building sign. Seconded by M. DaBramo, motion carried with all ayes from Chair Maxwell, D. Kearney, and K. Book.

K. Book made a motion to approve the two proposed menu boards, 49 sq. ft. each as found on the approved sight plans location. Seconded by C. Meisel, motion carried with all ayes from Chair Maxwell, M. DaBramo, and D. Kearney.

C. Meisel made a motion to close the public hearing. Seconded by K. Book, carried with all ayes from Chair Maxwell, M. Dabramo, and D. Kearney.

Chairman John Maxwell called for a review of minutes:

November 22, 2022, Frant Corp/Arby's, 4419 Genesee Valley Plaza, Tax Map #81.-1-29.121 K. Book moved to approve the minutes. M. Dabramo seconded, carried with Ayes from Chair Maxwell.

C. Meisel made a motion to adjourn the meeting at 8:45 pm. Seconded by M. DaBramo, carried with all ayes from Chair Maxwell, D. Kearney, and K. Book.

Approved Minutes Arby's, November 29, 2022 @ 7:30 pm

Respectfully submitted by
Debbie Streeter, Secretary, Geneseo Town Zoning Board of Appeals.