

**Village of Geneseo Zoning Board of Appeals
August 6, 2025 @ 4:30pm**

Members Present:

Carolyn Meisel, Chair
Robert Meyers, Member
Paul Schmied, Member
James Kier, Member
Gretchen Crane, Member

Other Village Representatives Present:

Janna O'Brien, Secretary
Craig Wadsworth, Code Enforcement Officer
Ericka Elliot, Esq., Village Attorney

Applicants/Public Present:

Marty Estruch, Livingston Lanes
Dana Carson, Livingston Lanes
Jim Olverd, Livingston Lanes
Katie Kosniks, Fast Signs

At 4:30pm, Chair Meisel called the meeting to order.

**Public Meeting- Area Variance
Livingston Lanes
4260 Lakeville Rd, Geneseo
Tax Map #81.10-1-19.11**

At 4:38, *Member Schmied made the motion to open the Public Meeting for an area variance for Livingston Lanes, Member Meyers seconded.* The Board introduced themselves. It was recorded that all proper notices were sent via US Mail, return receipt requested, as well as published in the Livingston County Newspaper, as follows: NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Zoning Board of Appeals of the Village of Geneseo on August 6, 2025, at 4:35 pm, in the Geneseo Building, 119 Main Street, Geneseo, NY, to hear an application for a area variance. Dana Carson, on behalf of Livingston Lanes, is seeking permission to erect a digital sign at that business. The Village code prohibits electronic signs per Section 130-91 – Prohibited signs, - signs that utilize electronic changeable copy and any other portions of Village Code which may apply. The request is for property located at 4260 Lakeville Rd, Tax Map # 81.10-1-19.11 in the Village of Geneseo, NY

Chair Meisel noted that thirteen green cards were sent and 8 were returned. The Livingston County Planning Board reviewed this application and determined that this has no significant Countywide or inter-municipal impact in regard to existing County plans, programs, and activities. Therefore, approval or disapproval is a matter of local option. Jim Olverd spoke on behalf of Livingston Lanes and explained they currently use a 12-foot ladder to put up letters to advertise the specials of the day. They are seeking a basic digital sign to replace the existing sign to electronically change the lettering. The Board asked several questions regarding how often the sign would be changing, if the sign would dim or flash and what colors would be used.

Chair Meisel asked her Board if they had any additional questions. Attorney Elliott confirmed that the Board could make stipulations regarding the use of the variance regarding how often the message could change, no use of photos or images, no flashing or dimming. The representatives agreed with all the stipulations that were discussed. Hearing no further discussion, Chair Meisel asked for a motion to close the hearing at 5:05pm. *Member Schmied moved to close the Public Hearing. Member Meyers seconded the motion.*

This was followed by the Board discussing and answering the five variance questions.

(1) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting the area variance?

Chair Meisel: No. Letters and background are not.

Member Meyers: No. Basically it is the same sign as is there now.

Member Schmied: No. Business area, will be restricted to letters and solid background.

Member Kier: No. As it's requested, it's being proposed similar to what is there.

Member Crane: No. As long as there are stipulations written out to restrictions that we want to approve and those are adhered to.

(2) Can the benefit sought by the applicant be achieved by some other method, feasible for the applicant to pursue, other than an area variance?

Chair Meisel: Yes. Could make old sign.

Member Meyers: No.

Member Schmied: No. New sign is needed.

Member Kier: No. They could rebuild the way the old one was but not realistic. The digital sign accomplished their goal without climbing a ladder.

Member Crane: They can replace the sign with what is already there but seek the benefit they want they need this variance.

(3) Is the requested area variance substantial?

Chair Meisel: Yes. 100 % isn't allowed in present code.

Member Meyers: Yes. Code restricts digital signs.

Member Schmied: Yes. Specifically denied and prohibited by code. Substantial changes from nothing to anything.

Member Kier: Yes. It's prohibited/against code.

Member Crane: Yes. It's prohibited by the code.

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

Chair Meisel: No. It will look like the original sign.

Member Meyers: No. Won't make a difference, just eliminate manual manipulation.

Member Schmied: No. Similar sign exists nearly now.

Member Kier: No. It won't have any adverse effect on the neighborhood since it's being requested to have the same look.

Member Crane: No. As long as it looks like what was there and conforms to illumination requirements.

(5) Is the alleged difficulty self-created? (Which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.)

Chair Meisel: Yes.

Member Meyers: Yes. Could just keep sign manual manipulation.

Member Schmied: Yes. If no application then, no sign.

Member Kier: Yes. They could choose not to do it.

Member Crane: Yes.

With no further discussion, the following votes were recorded to approve the variance: Chair Meisel- aye, Member Meyers- aye, Member Schmied-aye, Member Kier-aye, Member Crane-nae. Member Kier moved to grant the area variance for a digital sign for Livingston Lanes with the following stipulations: the pixels will be 9mm or less, no photos, no images, no flashing, no dimming, no neon colors, only 2 colors allowed at one time with white accent border on the letters only, (if needed) and the same message will be on both sides to be changed a maximum of three times a day. This sign will need to meet the Village illumination requirements. Member Meyers seconded the motion, and the variance was approved.

With no further discussion, Member Crane moved to close the meeting at 5:20pm. Member Meyers seconded the motion. The meeting was closed with ayes from all.

Janna O'Brien
Secretary

