

Present: Edward Mazanek, Vice Chairman
Leonard Sas, Secretary
Dr. Steve Holowinski
Charles Snedaker

Absent: Vernon Rowlands, Chairman

Also Present: Diane Salva, Clerk to the Planning & Zoning Boards
Jeff Jacobs, Attorney for the Village
Daria Golazeski, Town of Union DCPW/C&O

A brief work session was held at 7:00pm. During the work session the board reviewed the applications on the agenda.

Vice Chairman Mazanek called the meeting to order at 7:30pm & noted the emergency exits.

Minutes - A motion to approve the minutes for the July 13, 2015 regular meeting and the July 28, 2015 special meeting was made by Mr. Snedaker and seconded by Mr. Sas. The motion carried with all those present voting in the affirmative.

Privilege of the Floor - None

Communications - None

Contingencies - None

OLD BUSINESS - None

NEW BUSINESS

Rockstar Real Estate, LLC/3i Graphics – 87 Main Street
SEQR & Public Hearing – Variance

Eric Olsen, of 3i Graphics & Signs, submitted a sign application on behalf of Rockstar Real Estate, LLC, to replace existing signage on the commercial building at 87 Main Street, Johnson City. The business, APR Supply Co., is new and the owners are requesting a variance for a total of three wall signs to replace two existing wall signs on the building. The existing signs are located on the Brigham Avenue and Main Street sides of the building. In addition, a new sign is proposed for the upper rooftop elevation facing northward toward Route 17/I-86. The primary sign is that facing Main Street (a.k.a.17C).

The proposed signs would require an area variance to allow two wall signs more than are permitted, since under Table 300-52.1 of the Code, only one wall sign per business is permitted. The property is located in an Industrial zoning district and the existing signage is legally nonconforming under the current zoning code.

Mr. Eric Olsen was present on behalf of the applicant.

Vice Chairman Mazanek opened the public hearing.



Mr. Olsen reviewed the request and explained that they are asking for the third sign on the rear of the building as well for visibility to Rt. 17. They want to maintain some semblance of the signage that was there for the previous business, Sage Supply, and they feel that the limitation of one sign which is less than what the previous business was allowed will hurt their business.

Dr. Holowinski asked if Sage Supply had 2 signs and what was the square footage of those signs. Mr. Olsen stated yes there were 2 signs and it was 120 – 150sq.ft. At a future meeting, Mr. Olsen would like to discuss a variance for increasing the allowable square footage. Ms. Golazeski reviewed what the previous code allowed for signage and road frontage. Mr. Olsen explained that they want to add 2 signs to the 3 sided cap on top of the building.

Mr. Snedaker asked if the signs were each 80sq. ft. Mr. Olsen stated yes. Vice Chairman Mazanek asked if they are considering a future request to increase the size of those signs. Mr. Olsen stated yes.

Dr. Holowinski questioned the visibility of a sign on the north side of the building. Mr. Olsen explained that they would hang a banner first to see how it would look. 80sq. ft. may not be large enough.

Mr. Snedaker asked if the sign would be illuminated. Mr. Olsen stated no it will not be.

Vice Chairman Mazanek closed the public hearing.

SEQR

Attorney Jacobs explained that a SEQR Short Environmental Assessment Form has been prepared and reviewed the form.

The board, having reviewed Part I and Part II of the SEQR Short Environmental Assessment Form ("Short EAF") has determined that there will not be any significant adverse environmental impacts with respect to the project, therefore a motion was made by Mr. Sas and seconded by Mr. Snedaker finding that the proposed action will not have a significant adverse environmental impact and authorizing the Chairman to sign the Negative Declaration.

Motion Carried – Vote:

Yes – 4 (*Snedaker, Holowinski, Sas, Mazanek*) **No** – 0 **Absent** – 1 (*Rowlands*)

Vice Chairman Mazanek read the staff recommendations and department head comments.

DEPARTMENT HEAD AND 239-REVIEW COMMENTS

The project is subject to a 239-Review, both with the County and with the City of Binghamton.

Code Enforcement:	No concerns. The proposed signs are not objectionable and face different views and streets of access.
Fire Dept:	No comments.
Police Dept:	No compelling interest.
Public Works & Water:	No compelling interest
B. C. Planning:	Recommend denial of the sign facing SR-17/I-86 because it would run contrary to the Village of Johnson City efforts to improve the local signage and to the purpose of the sign regulations to reduce visual clutter through the prevention of excessive sign displays.



NYS DOT: No concerns.

PLANNING STAFF RECOMMENDATION

The Planning Department staff recommends that the Planning Board recommend:

- 1) Approval of the area variance for one additional wall sign facing Brigham Street; and
- 2) Denial of the area variance for a third wall sign facing the rear of the property, or northwards.

Attorney Jacobs reviewed the criteria for granting a variance.

A motion to approve a variance for a sign facing Brigham Street but denying a third sign, including the department head comments was made by Mr. Sas and seconded by Dr. Holowinski.

Motion Carried – Vote:

Yes – 4 (*Snedaker, Holowinski, Sas, Mazanek*) **No** – 0 **Absent** – 1 (*Rowlands*)

JC Gas & Convenience/Jay's One Stop – 285 Harry L. Drive
SEQR & Public Hearing - Use Variance

Jay's One Stop has submitted a sign application to reface the existing pylon directory sign for JC Gas & Convenience at 285 Harry L Drive, Johnson City. The existing pylon sign is legal-nonconforming as pylon signs are not permitted in the current zoning district. By changing the face, the sign would no longer be legal.

The applicant is requesting a use variance to maintain the pylon directory sign in a Neighborhood Commercial zoning district. The new sign face would stay on the existing frame, and the base of the sign is proposed to be approximately 7.4 feet above ground level. Code Enforcement recommends that the base of any pylon sign within the 25-foot triangle of a corner lot be at least seven-feet above ground level for traffic and pedestrian visibility.

Petro Vamvakaris with TJ Sign Solutions, Inc. was present on behalf of the applicant.

Vice Chairman Mazanek opened the public hearing.

Mr. Vamvakaris explained that Jay's One Stop has changed to Citgo. The overall size of the sign will remain the same by the sign faces will be slightly increased.

Attorney Jacobs asked if a monument sign would be feasible on this site. Mr. Vamvakaris stated no. Ms. Golazeski stated that no, a monument sign would be in the driving lanes. With a pylon sign you can see under it. Attorney Jacobs stated that so a monument sign, which is a permissible sign, is not feasible. Ms. Golazeski stated that is correct.

Mr. Snedaker asked is there is a minimum distance from the bottom of the sign to the sidewalk. Ms. Golazeski stated that no, that applies only when the sign is over the sidewalk, then it is 7ft.

Vice Chairman Mazanek closed the public hearing.



SEQR

Attorney Jacobs explained that a SEQR Short Environmental Assessment Form has been prepared and reviewed the form.

The board, having reviewed Part I and Part II of the SEQR Short Environmental Assessment Form ("Short EAF") has determined that there will not be any significant adverse environmental impacts with respect to the project, therefore a motion was made by Mr. Sas and seconded by Mr. Snedaker finding that the proposed action will not have a significant adverse environmental impact and authorizing the Chairman to sign the Negative Declaration.

Motion Carried – Vote:

Yes – 4 (*Snedaker, Holowinski, Sas, Mazanek*) **No** – 0 **Absent** – 1 (*Rowlands*)

Vice Chairman Mazanek read the staff recommendations and department head comments.

DEPARTMENT HEAD COMMENTS

The project was not subject to a 239-Review.

Code Enforcement: No concerns.
Fire Dept: No comments.
Police Dept: No compelling interest.
Public Works & Water: No compelling interest.

PLANNING STAFF RECOMMENDATION

The Planning Department staff recommends that the Planning Board recommend to the ZBA:

- 1) Approval of the use variance for a pylon directory sign in the Neighborhood Commercial Zoning District. The new sign face would remain on the existing structure. The existing sign structure is safe for traffic and pedestrian visibility. If it were required instead, a monument sign would have to be relocated to another area, out of the 25-foot corner triangle.

Attorney Jacobs asked about the height variance referred to in Ms. Golazeski's letter to the applicant. Ms. Golazeski explained there are issues with the code and pylon signs.

A motion to approve a use variance contingent on the dimensions of the sign and the height of this sign being as stated in the application and including the department head comments and staff recommendations.

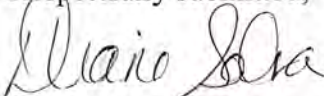
Motion Carried – Vote:

Yes – 4 (*Snedaker, Holowinski, Sas, Mazanek*) **No** – 0 **Absent** – 1 (*Rowlands*)

ADJOURNMENT

The meeting was adjourned at 8:05pm.

Respectfully submitted,



Diane Salva
Zoning Board Clerk

