

**Zoning Board of Appeals
Meeting Minutes
July 27, 2015**

Present: B. Natoli, E. Morano, S. Sutton, F. VanAlthuis

Absent: J. Wright, G. Cleveland, R. Shackleton

Staff: Amy Donnison, Todd Dreyer, Jason Lawrence

* Alternates with voting power are noted in **bold**.

I. Call to Order

The meeting was called to order at 7:02 PM by Vice-Chair E. Morano. E. Morano stated that the Board is made up of volunteers to enforce the regulations put in place by the Common Council, and that they have up to 62 days to make a decision on the request before them. The decision that will be made is based solely on the information presented to them during the hearing process. There is 1 application that is attached to 2 requests before the board this evening. This hearing is a request for a Sign Area Variance for Chenango County Historical Society at 41 Rexford Street to allow for a variance in the free standing sign maximum height requirement as well as a size variance for a free standing sign.

II. Public Hearing: Chenango County Historical Society – 41 Rexford Street

The public hearing was opened at 7:05 PM. The following exhibits were entered into evidence:

1. Application from Chenango County Historical Museum.
2. Community Development report date July 21, 2015
3. Photographs of property and surrounding properties also owned by Chenango County Historical Society
4. No correspondence received in support or opposition of this proposal.
5. No phone calls received in support nor in opposition of this proposal.
6. Museum proposed signage sketch
7. Tax map showing the parcel
8. Public hearing notice (mailed to all properties within 500 feet of the applicant).

A. Donnison read the Community Development report and noted that a response had not yet been received from the Chenango County 239 Review Committee but

that she had spoken on the phone with the Rena Doing in the Chenango County Planning Department verifying she had received the info and discussed how even though this action did not require 239 Review out of habit it is always good to send it as they may pick up something that others have missed.

Sarah Mahan, Executive Director, Chenango County Historical Society, thanked the ZBA for hearing this request and noted that she has been the Executive Director since January 1, 2015. Prior to that date she had been actively involved working with the museum for approximately the past 4 years. S. Mahan also wished to state that there may have been some miscommunication in regard to the sign being 2 sided. S. Mahan stated that they are flexible in the size of the signage being requested but that they were uncertain what would be approved. They wish to have it only 1 sided and facing the street. The reason they are requesting this large sign is that they are finally about to realize they have nearly met their vision of having a true comprehensive museum campus and would like to have this sign near the primary parking area which would designate all the various outdoor and indoor exhibits. At this time they have the old school house, sap house, Lillie building, Loomis barn, Research facility, book exchange as well as the primary museum building on their campus. Mike Toby, formerly of Victory Markets, had worked with the Northeast Classic Car Museum on various drawings and sketched designs, was asked to create a design for the museum which is what is presented in the sign proposal. This proposed sign would now be located even further back from the street than originally proposed even though street setback was not an issue. The reason the sign would be further back from the street is due to the barn cupola being relocated to within the proximity of the front of the Loomis barn. The actual size of the board where the primary lettering is will be 9' x 4'6" rather than what was submitted with the application. The smaller signs below the primary are meant to highlight other specific areas on the campus and are 1'6" x 1'6" ea. There is another smaller sign under these that is desired but at this time there is no determination as to what exactly it would say. E. Morano stated that these new measurements now add up to approximately 52 square feet total signage.

The desire is to help make this area a museum destination. They have had many people in the past comment that they were not aware that all the buildings on the museum campus were part of the whole parcel. Hopefully this new signage would assist in clarifying that misconception.

S. Sutton asked to clarify that the proposed signage would be placed perpendicular to the street. S. Mahan stated yes, with a setback of in excess of earlier statement of 16'5", it will now be nearly 20' whereas only 10' setback is required. The reason for having it further from the street than required is that they do not want it to inhibit in any way the view for people pulling out of the parking area or neighboring driveways. S. Sutton asked if the wood shown in the sketch on each side of the primary signage is solid wood. Dave Emerson, member of the museum board, stated no but that an actual solidly designed plan has not been

designed yet. D. Emerson noted that the Northeast Classic Car museum just up the street had an awning with their name on it and believed it was in excess of what they were asking for in total square footage. A. Donnison stated that the Northeast Classic Car Museum would have also come before the Zoning Board if their signage exceeded permitted square footage. It was suggested that perhaps the Car Museum is in a different zone, such as industrial. (Upon checking the next day in the office files, the Northeast Classic Car Museum is indeed in an IN zone meaning the signage allowed by right is 1 ½ square feet for each linear foot of building frontage) D. Emerson noted that their request could be scaled down stating they truly did not know what the Zoning Board would find acceptable.

F. VanAlthuis inquired if any other signs on the other parcels owned the museum were changing or being removed? S. Mahan stated if any needed to be removed in order to get this proposed sign approved they would do so. B. Natoli asked which sign(s) would they be willing to remove. S. Mahan stated there the one on the face of the primary museum building could be removed with no problem as the plan is to have all signage tie in with the total aesthetics of the campus and that one does not really fit. B. Natoli asked if there had ever been considerations made to merging all the parcels the Chenango County Historical Society owns in the area. S. Mahan stated the Mary Weidman had met with A. Donnison a few years ago regarding the pros and cons of doing so. This was at the time the Loomis barn was being relocated and the concern was that lot line setbacks be met but that there was the option of merging lots to meet lot line setbacks if needed. It was decided to place the Loomis barn off the lot line the required amount so no merging of parcels was needed. S. Mahan stated that if the Zoning Board felt it would be to their benefit to merge the parcels in connection to this sign request they would gladly consider it. B. Natoli asked if this would affect the amount of allowed by right sign square footage. A. Donnison stated that merging at this time would not gain them any additional signage square footage since the Sign Ordinance is based on a per lot designation. If the lots were merged however the signs that are pre-existing on the other parcels would be grandfathered in since then the lot as a whole would have exceeded total allowable sign square footage.

Joyce Zumo, member of the museum board, wished to state the entire board is 100% behind this proposal and wished to suggest that if they did merge all their parcels perhaps it should wait until later in the year because there are plans to obtain one more lot that will be able to be included if a merge did occur.

S. Sutton asked if M. Toby contacted the Code Enforcement office to inquire about allowable sign square footage prior to creating the sketched sign plan. S. Mahan stated no as it was only a conceptual drawing at the time. M. Weidman stated that this sign is intended to create a cohesive campus design as well as be informative. S. Mahan inquired if it would be permissible to have a campus map on the back of this sign as it will not be viewable from the street and will show people when they park where all the exhibits are located as well as a starting “You

are here” point. S. Mahan also noted that she has a graphic arts background and believed they could come up with another design to suit their needs if the small 1 ½ x 1 ½ block signs were not allowed. J. Lawrence noted that the map sounds like it would be informational and would therefore be permitted on the back facing the parking lot and also noted that this option should be clarified if variance is approved so there is no confusion later on what was approved. S. Sutton asked if this sign design was set in stone. D. Emerson stated no but they do have a grand opening scheduled for September 1, 2015 and are hoping to have a new sign in place by then but that the grand opening will happen even if there is no sign. D. Emerson also asked about a museum district and if that would increase the allowed total signage. A. Donnison stated there was a museum district overlay already created approximately 15 years ago. (Upon checking files it was adopted in August 2002). There are no additional benefits due to the Museum District overlay that would affect the signage. The museum is located in an R-2 zone which only permits a 4 square foot sign per lot but due to the classification of the museum as a public place 12 square feet signage is allowed by right rather than 4 square feet.

E. Morano noted that there are several signs around on the other parcels and considers this a substantial request all on its own and then to see that there appears there will a duplication of signage if approved. A maximum height of 6’ is allowed and 12 square feet signage area allowed and therefore puts this request way beyond what he considers a substantial increase request. B. Natoli stated that the board sees each case individually. They cannot simply rubber stamp a request because someone else up the street has something you want.

Discussion ensued regarding the cost and merit of reapplying to bring the request in at smaller variance request. A. Donnison noted that they could do that if they choose however whenever the zoning board meets that would mean the whole process starts again – ad in the paper, notices mailed to neighbors etc.

Vice-Chair E. Morano asked if there were any additional questions or comments from the public. There being no further questions or comments, the public hearing was closed at 7:44pm on a motion made by S. Sutton, seconded by B. Natoli.

III. Findings and Determinations: 41 Rexford Street:

1. Request for a Sign Variance due to the maximum allowed height of 6’.
Request is for 16 feet
2. Request also encompasses a variance to allowed square footage of sign of 12 square feet. Request was amended to 52 square feet. Original was for 69 square feet.
3. Parcel is located in an R-2 zone with a Museum District overlay.

4. Sign will not be 2 sided
5. Sign will be single sided and will be perpendicular to the street
6. A request to have a map of the campus on the rear of the sign providing directional information to visitors if approved.
7. Proposed sign layout has multiple components that include each attraction
8. Applicant is willing to resize proposed signage
9. Applicant is willing to remove other signs on adjacent lots
10. Applicant is willing to consider merging parcels if required for this sign variance
11. There was no support n or opposition received to this proposal
12. Sketch submitted is not to scale
13. No set language prepared to go onto the smallest sign on the bottom of overall sign proposed
14. Pictures reviewed of current signage on other parcels.
15. No illumination of sign.
16. No 239 review required
17. Surrounding neighborhood is primarily residential with other museums and some small businesses nearby.
18. Museums goal is to have signage that indicates the whole campus as one

Motion made by F. VanAlthius to approve the sign variance request with the following conditions: Remove the existing building wall sign located on the primary Museum at 45 Rexford Street, remove the 1'6" x 1'6" segments indicating the various exhibits from the original proposal, install a map on the rear of sign facing the parking lot to indicate all the locations of the various displays on the campus, height of the signage is not to exceed 10' in height, square footage of signage not to exceed 32 square feet. Seconded by B. Natoli. Ayes all, approved.

Discussion: S. Sutton inquired about sign content as he has his business phone number listed on his sign

Motion Approved: 4 ayes; 0 nays.

Ayes – E. Morano, B. Natoli, S. Sutton, F. VanAlthuis

Nays – None

Abstained – None

IV. Other Business

F. VanAlthius made a motion to approve the minutes of October 27, 2014 with the following request of a letter to be sent to Curtis Lumber by the Code Enforcement Department to relocate the free standing sign to meet the required 20' street setback on their property because of the following: As indicated in the minutes of October 27, 2014 the entire reason for the request of a sign setback was due to a tree located on the parcel where they wanted to locate the sign. It was stated at the hearing by John Sheldon, Curtis representative, that Jay Curtis, owner of Curtis Lumber loves trees and would really like to be able to keep this one hence the request for a setback variance. Upon current review of the parcel it is noted that the tree has been cut down, and a couple of storage sheds sit on display in its place. The reason the setback variance was granted was because there is little green space in the front of this business and appreciated that the owner wished to be able to keep the tree. Seconded by R. Shackelton. Ayes All.

V. Adjournment:

There being no further discussion, the meeting was adjourned at 8:18pm on a motion made by B. Natoli, seconded by S. Sutton. Ayes All. Carried.