

# Town of Clifton Park

Clifton Park, New York



## ZONING BOARD OF APPEALS

March 5, 2019

7:00PM

**Present:** Chairman Dudick, John Klimes, Michael Bloss, , Chris Lemire, Lisa McCoy, David Donohue, alternate

**Absent:** Jerry Cifor, Mario Fantini

**Also Present:** Neil Weiner, Esq., ZBA Counsel  
Steve Myers, Director, Building and Zoning  
Meg Springli, Secretary

The meeting was called to order at: 7: 00 pm.

### PLEDGE OF ALLEGIANCE

Chairman Dudick noted that Mr. Donohue would be a voting member in the absence of Mr. Cifor. Mr. Dudick then stated that 6 out of 7 voting members were present, and that all applications would require at least 4 out of 6 affirmative votes to pass.

**OLD BUSINESS:** - None

### **NEW BUSINESS:**

1) An application from **Vital Signs & Graphics Co. Inc.** requests a variance from sign law 171, Table 1. Wall signage allowed 32 sf minimum, 60 sf maximum. Building= 5200 sfx 0.005 = 26 sf. Allowed by calculation= 32 sf minimum. Applicant requests 47 + 18 = 65 sf total between two signs. Variance required= 65 -32 = 33 sf. Property is located at 202 Ushers Road, Clifton Park, NY 12065.  
(Permit #81201)

The secretary read the notice as it was published in The Daily Gazette.

### Applicant Presentation:

Lauren Flexer, from Vital Signs, as a representative of the business owner. stated that she was the applicant and that two signs were proposed for the building. Ms. Flexer stated that one sign would be facing Route 9, and that the owner felt that it needed to be larger due to the building's distance from Route 9. Then she stated that the smaller sign would be facing Ushers Road and it would indicate where

the office entrance was located.

Mr. Lemire asked if there were signs on the building currently. Mr. Litchfield, owner of Siena Fence responded that the one sign on the building would be replaced, and that it was now blocked by the new building that was added last year.

Mr. Myers explained that the smaller sign would be fine since it was replacing one in kind. The other building sign would still need a variance for the larger sign on the second building.

There being no further comment, Chairman Dudick made a motion, seconded by Mr. Bloss, to close the public hearing at 7:09pm.  
All in favor, none opposed.

Mr. Myers noted that the application was a Type II action pursuant to SEQR and no further action was required. The chief zoning officer stated that the size of the building and its distance from Route 9 and that the variance being requested was in fact reduced to a 13sf variance since there were two buildings. Mr. Myers noted that Saratoga County had issued a letter stating that there was no countywide or intermunicipal impact.

Discussion ensued.

Chairman Dudick moved, seconded by Mr. Bloss to approve the area variance as amended for one sign on the building facing Route 9, that was for a sign with 13 sf. added in size.

Mr. Dudick stated that the variance would not create undesirable change, and there would be no detriment to nearby properties. Then he stated that there were other reasonable methods of achieving the result but, he felt that the request was the reasonable for this project; nor would it create an adverse effect on the environment. The board member also noted that he felt the hardship was self-created but that it was not preclusive.

Roll Call: Chairman Dudick, John Klimes, Michael Bloss, Chris Lemire, Lisa McCoy, David Donohue  
Ayes: All  
Noes: None  
Motion was unanimously approved

At 7:15, Mr. Weiner asked that the Zoning Board of Appeals move to an Executive Session to discuss pending litigation. Members returned from Executive Session at: 7:26 pm.

Chairman Dudick, John Klimes, Michael Bloss, Chris Lemire, David Donohue were present at the February 19<sup>th</sup> meeting.

Chairman Dudick moved to approve the minutes of February 19, 2019. The motion was unanimously approved by those present.

The meeting was adjourned at 7:28pm

Respectfully Submitted,

  
Meg Springli