

Town of Clifton Park Zoning Board of Appeals

One Town Hall Plaza
Clifton Park, New York 12065
(518) 371-6054
FAX (518) 371-1136



Zoning Board of Appeals

December 7th, 2021

Present: Chairman Michael Dudick, Jerry Cifor, Christopher Lemire, Randy Gifford,
Mario Fantini, John Klimes, Lisa McCoy, Scott Styles (alternate)

Absent:

Also Present: Steve Myers, Director, Building and Zoning
Paula Cooper, Secretary
Neil Weiner Esq., Attorney

The meeting was called to order at 7:00 p.m.

All stood for the Pledge of Allegiance. Roll call was taken.

Mr. Dudick told the applicant that per Town Code that the applicant would need 4 out of 7 of the Board members to vote in favor of the application to pass. He let the applicant know that there are 7 voting members of the Board here tonight, so that 4 members need to vote in favor tonight to grant the variances. He asked the applicant if they would like to come back at a later date or if they would like to proceed knowing the Board tonight needs to vote in favor of the application with at least 4 votes.

The applicants stated they would like to continue tonight knowing 4 votes need to be in favor of the application tonight.

Old Business:

None

New Business:

An application from Matthew Kusewich requests a variance for a second sign for newly constructed garden center. Variance request is from Chapter 171, Table 1 of sign law. Applicant requests additional 36 sf of wall signage. Property is located at 1746 Route 9, Clifton Park, NY 12065 (Permit #81309)

Applicant:

Vernon Doyle – Mathew Signs – Mr. Doyle stated that the application is for a standard sign for a garden center for Tractor Supply. He stated that this is a standard sign for all of the Tractor Supply stores with garden centers. He stated that he is here tonight on behalf of Tractor Supply asking for this variance and all notifications to neighbors have been sent.

Public:

No public comment.

Mr. Dudick moved, second by Mr. Klimes to close the public hearing at 7:10 p.m.

Board:

Mr. Cifor asked why there is a need for a second sign. Mr. Doyle stated that some of the Tractor Supply buildings have garden centers and some do not. He stated that this lets residents know who has them at the locations.

Mr. Fantini asked if the garden center was new to this location. Mr. Doyle stated it was.

Mr. Lemire asked if the variance was for a second sign or for extra sign square footage. Mr. Myers stated that it was for square footage. Mr. Lemire asked if the variance is for a second sign only and not for a monument. Mr. Doyle stated it was for the second wall sign only and a garden center sign was added to the sign on Route 9 but the size was not changed.

Ms. McCoy asked if there would be a second entrance for the garden center. Mr. Doyle stated there would be a separate entrance for it from the store but would also have an entrance from the store to the garden center like Lowes.

Mr. Myers stated that this is a Type II action and that no further SEQR is required. He stated that the garden center is an addition to the building. He stated that the sign was changed on the road

front but the size was not changed. Mr. Myers stated that in 2005 a variance for the original sign was granted but he does not see a problem with this application today.

Mr. Dudick stated that he feels there is no issue with this variance request and that the sign is set back from the road and on the building.

Mr. Cifor moved, second by Mr. Klimes, to approve the variance as requested. The property is located at 1746 Route 9, Clifton Park, NY 12065.

Mr. Cifor read the Area Variance Criteria, Mr. Cifor answered in favor to all 5 criteria.

The Secretary called the Vote:

Ayes: 7

Noes: 0

The chairman made a motion to approve the minutes from the November 16th, 2021 meeting. All who were present at the November 16th, 2021 meeting voted in favor and the meeting minutes were approved.

Mr. Dudick, Chairman, made a motion to adjourn the meeting, Mr. Gifford second, all voted in favor and approval was unanimous. The meeting was adjourned at 7:15 p.m.

The next scheduled ZBA meeting will be held on January 4th, 2022.

Respectfully submitted,

Paula Cooper

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Secretary, Zoning Board of Appeals