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# Town of Lansing

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Tuesday, February 2, 2010 7:00 PM, Zoning Board of Appeals Meeting

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## ZONING BOARD OF APPEALS MEMBERS

(\*Denotes present)

	Gregg Travis, Chairman	*	David Dittman
*	Linda Hirvonen	*	Dan Konowalow
	Ronald Bricker, Alternate Member	*	Henry (Hurf) Sheldon
*	Jeffrey Overstrom, Engineer & Planning Coordinator		
*	Kathryn Miller, Town Board Liaison		
	Lorraine Moynihan Schmitt, ZBA Attorney		

## PUBLIC PRESENT

Andy Sciarabba

Ron Fortune

Arthur Paul

## GENERAL BUSINESS

Linda Hirvonen, Acting Chair called the meeting to order at 7:10 PM. Ms. Hirvonen reviewed the Agenda items and acknowledged the Legal Notice published in The Ithaca Journal with regards to the Public Hearing on the Area Variances.

### Public Hearing for: Area Variance Application, Applicant: Consulting & Design, Agent for; Drake Petroleum, 32 Peruville Road, Tax Parcel # 30.-1-16.4

Henry (Hurf) Sheldon made a motion to open the Public Hearing at 7:12 PM. Daniel Konowalow seconded.

### **VOTE AS FOLLOWS:**

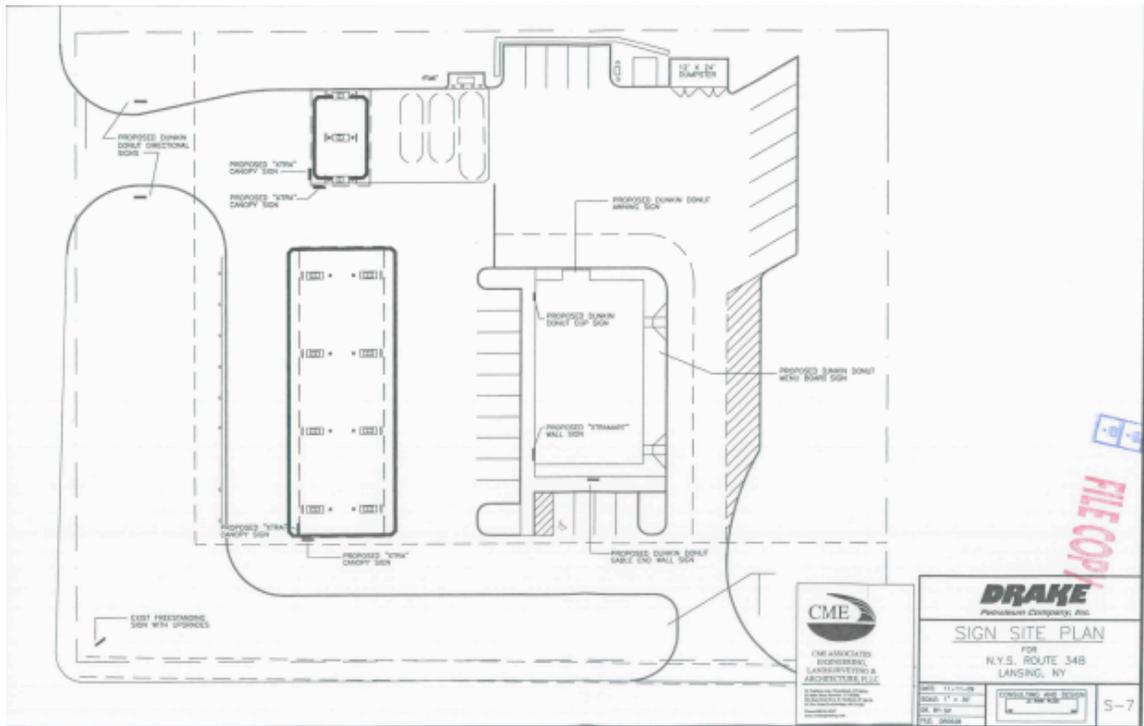
**David Dittman - Aye**  
**Linda Hirvonen - Aye**  
**Daniel Konowalow - Aye**  
**Henry (Hurf) Sheldon - Aye**

### **MOTION CARRIED.**

Mr. Ron Fortune, Agent for Drake Petroleum appeared before the Board requesting an Area Variance for the number of signs to be permitted on the

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premises at 32 Peruville Road. The Town of Lansing Sign Ordinance permits two signs per lot, of which they shall not exceed 50 square feet in area. Mr. Fortune states his Company proposes the Signage Package for a Plaza, not just a Gas Station. There are three different types of business (Dunkin Donuts, Xtra-mart and Gas/Diesel) housed on the site. The free standing pre-existing sign at the corner will remain. The following Sketch Plan was proposed;



### Member/Public Comments/Concerns:

Daniel Konowalow: Has concern with the additional signage (facing south) located near the diesel gas pump island. Mr. Konowalow does not have a problem with the directional signs.

Kathy Miller: States she trucks horses and more than once she has pulled into a Service Station and has to pull out and back in again due to the lack of signage for diesel. Ms. Miller is in favor of the proposed plan.

David Dittman: States putting the little logo signs on the building does not change the character of the neighborhood.

Andy Sciarabba: Indicated this is a business, in a Business District and that it is suppose to be allowed to promote it self and pay more taxes to our community. Constantly Developers are being told "we do not want to do things because it is

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offensive". These people have been a good neighbor for many years and should be able to continue. These folks should be encouraged, not discouraged.

Linda Hirvonen: Feels different size lots should have different regulations (square footage) for their signage.

Henry (Hurf) Sheldon: Wanted to make sure the B2 area is not over decorated with large signs.

David Dittman made a motion to close the Public Hearing at 7:46 PM. Henry (Hurf) Sheldon seconded.

**VOTE AS FOLLOWS:**

- David Dittman - Aye**
- Linda Hirvonen - Aye**
- Daniel Konowalow - Aye**
- Henry (Hurf) Sheldon - Aye**

**MOTION CARRIED.**

**Further Member Discussion**

Daniel Konowalow: Inquired if Drake Petroleum would consider reducing the one sign on the south side near the diesel pumps.

Ron Fortune: The design is already balanced.

David Dittman: States they have 3 distinct businesses there.

Henry (Hurf) Sheldon: Thinks the building is very tasteful in design and an upgrade to Lansing. Mr. Sheldon further believes that setting a precedence with bending the rules for this company that has made a nice addition to the Town should be allowed.

The Board Members reviewed the criteria for an Area Variance.

1. State whether an undesirable change in the neighborhood character will be created, and reason why:  
No.
  
2. Is there an alternative method, feasible to pursue, to achieve what the Applicant desire, and reason why:  
No.
  
3. State whether the requested Area Variance is substantial, and reason why;  
No.

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4. State whether the Variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district, and reason why:

No.

5. State whether the alleged difficulty was self-created, and reason why:

Yes, expansion of Business coupled with a pre-existing Sign.

David Dittman made a motion to **approve** the Area Variance. Henry (Hurf) Sheldon seconded.

**VOTE AS FOLLOWS:**

**David Dittman - Aye**  
**Linda Hirvonen - Aye**  
**Daniel Konowalow - Nay**  
**Henry (Hurf) Sheldon - Aye**

**MOTION CARRIED.**

**Approval/Denial of December 7, 2009 Minutes**

Daniel Konowalow requested on page 2, under Bud Shattuck, it should be **precedent**. Also, on page 4, under Gregg Travis (3 below) should be **rights of way**.

Daniel Konowalow made a motion to approve as amended. Henry (Hurf) Sheldon seconded.

**VOTE AS FOLLOWS:**

**David Dittman - Aye**  
**Linda Hirvonen - Aye**  
**Henry (Hurf) Sheldon - Aye**  
**Daniel Konowalow - Aye**

**MOTION CARRIED.**

Henry (Hurf) Sheldon made a motion to adjourn the Meeting. David Dittman seconded.

**VOTE AS FOLLOWS:**

**David Dittman - Aye**  
**Linda Hirvonen - Aye**  
**Henry (Hurf) Sheldon - Aye**

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**Daniel Konowalow - Aye**

**MOTION CARRIED.**