

DRAFT
Town of Oneonta
Zoning Board of Appeals
Meeting Minutes
May 22, 2023

Present: A. Black, D. Allison, D. MacClintock, Chairman Prouty, Laura Sause (Clerk)
Absent: K. Wilde, R. Panasci (Attorney)
Others: Ron Levesque (Sign Studio/Hoffman Car Wash), Jared Wood (Muddy River)

A. Roll Call

- Chairman Prouty called the meeting to order at 7:05pm and called for the roll.
- The next meeting is scheduled for June 26, 2023

B. Minutes

- **December 19, 2023** – Tabled until next meeting.
- **March 27, 2023**
MOTION: A motion was made by Chairman Prouty and seconded by A. Black to approve of the minutes.
DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

C. New Applications:

- **7:30pm Muddy River Farm Brewery. Area Variance**
Tax Parcel No: 287.19-1-2.02
107 Winney Hill Rd, Oneonta, NY
Zoning: B-2 (General Business)

Applicant requests an area variance for the construction of a sunken outdoor seating area on the parcel. The code office has denied the application because the proposed development does not comply with the Town Code. **CODE REVIEW:** Building location and setbacks.

<u>Setback</u>	<u>Required</u>	<u>Proposed</u>
Front yard	30 ft	5.5 ft
Side yard	10 ft	no change
Rear yard	10 ft	no change
Frontage	100 ft	no change

Jared Wood appeared for the application. He will be leasing the space from SSH Alliance and the board asked him for permission from the owner to represent the application. Mr. Wood would like to create an outdoor sitting area. They designed it to be a sunken area because the tap room is below the parking lot area and to allow for ADA (American Disabilities Act) requirements. The area will not be a structure, but beams and a covering. They will be opening the tap room before the outdoor seating area is built.

MOTION: A motion was made by D. MacClintock and seconded by D. Allison to set a public hearing for June 26, 2023 at 7:30pm or as soon as possible thereafter.
DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

D. Public Hearings:

- **Sign Studio, Inc. Special Sign Permit**
Tax Parcel No: 300.14-1-6.00
718 St Hwy 29, Oneonta, NY
Zoning: HDD (Highway Development District)

Applicant is requesting a special sign permit to place company requested signs on their new car wash building and site.

Allowable # of signs: 1 freestanding sign per lot.
Allowable area of signs: 250 SF Max per sign allowed.
Allowable height: 35 feet above finished grade.
Existing sign: None

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Requested signage:

- B2- Special Sign permit (only one façade sign allowed)
- C1, C3 – Special sign permits (while these are directional signs, they exceed the 4SF exemption size.
- D1, D2, D3 – Special Sign permits (while these are directional signs, it exceeds the 4SF exemption size.
- E – Special Sign permit (while these are directional signs, they exceed the 4SF exemption size.

The proposed sign needs special sign permit approval because: The requested sign exceeds the allowable number of allowable signs and size restrictions for the allowable directional signs on the parcel.

The public hearing opened at 7:26pm and Chairman Prouty read aloud the notice from “The Daily Star”. Ron Levesque represented the application. He would like to put up a sign for the business – Hoffman Car Wash, directional signs to direct the flow of customers throughout the car wash, a sign for the Jiffy Lube business, Free Vacuum sign, payment kiosks, and an Open sign. Mr. Levesque mentioned that due to the nature of the business, with no outside teller, customers need to know how to go through the car wash. He also stated that there is a hardship with the orientation of the building to the highway. The building is horizontal to the highway, so there needs to be a Hoffman Car Wash sign on the front and also on the side parallel to Rt. 23 for visibility.

Mr. Levesque believes that the code causes a hardship because they utilize the Federal Highway Administration sign code and that the local code doesn’t allow the minimum requirement. He also states that the business creates a unique situation where the signs are needed to inform the public where to go. He feels that the signs are similar to other businesses in the area and there are other drive throughs and they would also be in general harmony to the area. No one else appeared for the application and the public hearing closed at 7:45pm.

The board determined that the signs are needed to create good flow and that they would be in keeping with the character of the other businesses in the neighborhood.

MOTION: A motion was made by D. MacClintock and seconded by A. Black to approve the special sign permit.

DISCUSSION: None **VOTING:** Unanimous. Motion Carries.

There being no further business before the Board, the meeting was adjourned at 7:48pm.

Laura Sause,
Clerk of the Zoning Board of Appeals