

TOWN OF VICTOR ZONING BOARD OF APPEALS, June 5, 2023

A regular meeting of the Town of Victor Zoning Board of Appeals was held on June 5, 2023, at 7:00 p.m.

PRESENT: Michael Reinhardt, Chairman; Alexis Ogra; Mathew Nearpass, Vice-Chairman; Fred Salsburg, Lya Theodoratos

OTHERS: Mark Palumbo, Nathan Esh, Bernard and Sandra Budimir, Lesia Pirmand, Adam Ryczek, Victor Code Enforcement, Suzy Mandrino, Town of Victor; Amber Downs, ZBA secretary

Chairman Reinhardt called the June 5, 2023, Zoning Board of Appeals meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE

Chairman Reinhardt welcomed everyone. He gave the meeting announcements; location of emergency exits and restroom. He asked that guests please sign the attendance sheet. Agendas and business cards are at front entrance. He asked to silence cell phones and that applicants use compass directions and descriptions to create a complete meeting record. Applicants will have opportunity to be heard with as few interruptions as possible. We will talk one at a time, not over each other. Also, to let the board know if there are additional exhibits.

PAST MINUTES:

On motion of Alexis Ogra, seconded by Lya Theodoratos:

RESOLVED, that the minutes of the meeting held on May 15, 2023, BE APPROVED.

Adopted: Ayes 5, Nays 0

PUBLIC HEARING

**KEYSTONE CUSTOM DECKS**, 6731 Setter's Run 12-Z-23  
seeking an area variance to reduce the setback to 8' where 10' is required by §184-20 which states authorization to approve or deny cluster development and to grant variations in the dimensional standards (area) of Chapter 211 Zoning, concurrent with subdivision review as provided by §278 of the Town Law is granted to the Planning board, The parcel is a located within The Village on the Park major subdivision which is a clustered project. Under the clustering provisions the side setback (minimum yard) for parcels was reduced from 15' to 10'. The parcel is also a corner lot; therefore, it has two front setbacks and two side setbacks.

Chairman Reinhardt- Next is the Keystone Custom Decks.

Mr Esh- Good evening.

Chairman Reinhardt- good evening.

Mr Esh- so yea, we're seeking a variance to the 10' setback rule and we want to end up being 8' from the property line, it's a porch roof over a patio so um, it would be the porch that would end up being a little bit too close and you can see on the draw, on the um survey there its not even the whole side of it or anything its just the eastern most corner there that ends up being over the property line. Um, and a few other reasons that we wanted to stay with this size is, um which I can show you on a 2D as well but, the column on the, the north most column will be about 4' from the corner of the house allowing space to

walk through there and also visibility to the pool, it also allows the space to kind of come out from the corner of the house so that you're not tucked in away from the pool so that um the parents can still continue to watch the pool and not be tucked back into the corner too much, um we also looked at putting it on the other side of that bump out in the house and one of the main reasons is there's um, like the pool pump, there's kind of their utilities over in that area and to, it also would be really close to the edge of the pool there as well on the left side, straight out from the corner of the house if we were to try to put it on the other side, so that's just a few reasons why we're trying to put it in that corner and so yes, it is self, self-inflicted or self whatever the term is for that, but um, that's kind of a few of the reasons for wanting to place it there so.

Chairman Reinhardt- okay. Alexis questions?

Ms. Ogra- no questions.

Chairman Reinhardt- Lya?

Ms. Theodoratos- um, what is the height of this ...

Mr Esh- the porch roof? ...

Ms. Theodoratos- you know the, of the porch roof.

Mr Esh- um, so the beams usually are at about 7'4" so then the roof would be um, the peak of the roof would be about 2-3' above that. Um, I don't think it would be above 12'.

Ms. Theodoratos- and I saw that, that it's going to have um ceiling, recessed lighting in there.

Mr Esh- mhm.

Ms. Theodoratos- and um, is it, is that all? That's going to be part of it.

Mr Esh- mhm.

Ms. Theodoratos- okay. And from the, from the picture it showed there's a door, I guess that's a door going into the garage?

Mr Esh- yes, that's correct.

Mr Theodoratos- and you're not adding any other door or window ...

Mr Esh- no.

Ms. Theodoratos- or anything.

Mr Esh- no.

Ms. Theodoratos- and that photo there you have a tv, I mean is that just, is that just for esthetics or ...

Mr Esh- no, its all for outdoor living, there will be a kitchen area there, there's the tv, just kind of creating an outdoor living space.

Ms. Theodoratos- okay. And are the trees on the drawing, are the trees currently there?

Mr Esh- they're there, correct? ... Yes.

Ms. Theodoratos- they're there, okay.

Mr Esh- mhm. The fence is there as well.

Ms. Theodoratos- yes. Okay those are all the questions I had, thank you.

Chairman Reinhardt- Fred?

Mr Salsburg- I think you're going to get pretty good at asking for variances ...

Mr Esh- I'm learning.

Ms. Ogra- this time before.

Mr Salsburg- well, I looked at this uh, this same drawing and I said god uh, a 20 x 22 porch is really in a tight corner, really pushing it, so I drove over there and it looks even tighter when you look at it in real life. The other house is right there. Uh, if you were to cut the porch back to 17', 17 x 22 is still a big porch, gee, then you wouldn't need the variance

Mr Esh- mhm.

Mr Salsburg- and that's what I think I'm going to go with.

Mr Esh- okay.

Mr Salsburg- it's a really a big porch in a confined space, and uh, the code really fits this.

Mr Esh- okay.

Mr Salsburg- it really dictates what is good, to me.

Mr Esh- mhm.

Mr Salsburg- so, I think its too close.

Mr Esh- okay.

Chairman Reinhardt- Matt?

Mr Nearpass- I'm thinking along the same lines of Fred, although I haven't been out there but what, if you had to adhere to the 10' you know and take those 2' back what, what would you lose, obviously the 2 linear feet but would you really lose much in terms of ... ?

Mr Esh- um ...

Mr Nearpass- their ability to enjoy it or um, utilize the back yard?

Mr Esh- not completely no, um, one of the things we have discussed a few options um, one of the things is, I'm not sure if it's the corner of the roof or the posts that matter for that measurement or that setback rule...

Mr Nearpass- it's the farthest out, so if its, if the roof sticks out farther it's the farthest thing that sticks out.

Mr Esh- got it.

Mr Nearpass- I'll look at code enforcement to keep me honest but, yea.

Mr Esh- so I guess that kind of takes away from one of the options we were talking about is that we could keep the post back and just do a bigger cantilever on the gamble end, which you would still have the same roof coverage area but then the post, like the part that would be, the structure part that would be coming to the ground would be, you know 10' away from the property line but I wasn't sure what the code was on that ...

Mr Salsburg- we measure to the roof.

Mr Esh- mhm. Okay. And so then, yea the main thing I guess with that is just so that it doesn't crowd the um, so if we take everything back in, so there, I don't know if you were able to see there's also a kitchen on the outer edge of the patio, so if we go back 2' that post ends up being 2' from the corner of the house and with it being a column at the, it's a stone column at the base, that offers very little use to go back in there and then also your post would be about 3' from the kitchen so it just becomes really crammed in that space, I guess which is one of the bigger we're asking for that as well as also allowing the space to eb out towards the pool a little bit more just so that you're not ...

Mr Nearpass- moving it in doesn't make more room for the kitchen? Area, because its moving the post away from ...

Mr Esh- um.

Mr Nearpass- I'm looking at um, yes that exact picture there so ...

Mr Esh- yea. I guess that would be one thing, I was just kind of thinking that everything would shift back in, um but I guess that would be an option, the kitchen would just be further from the porch area.

Mr Ryczek- what if you were to, I think you're all thinking of reducing the 20' dimension back towards the house, and you said you wanted that 4' there for observation but what if you reduced the 22' dimension so ...

Mr Esh- mhm, you came in from the corner ...

Mr Ryczek- how far would you really have to move it to, because the way its angled ...

Mr Esh- mhm.

Mr Ryczek- you wouldn't have to go back that far I feel like to pick up your 2'.

Mr Esh- the, yea.

Mr Ryczek- so maybe 20 x 20 instead of 20 x 22 and you ...

Mr Esh- and I guess probably the best way to figure out that would be to get a survey done and see where, like how far we can come off the house.

Mr Salsburg- the, now the fence goes right over to the neighbor's fence, doesn't it?

Mr Esh- um.

Mr Budimir- it's pretty close, yea.

Mr Salsburg- its kind of confusing to look at. I thought it did.

Mr Esh- as to whose fence was, or to where it was, which property it was on?

Ms. Ogra- is it fence on fence in the backyard there or ...

Mr Esh- yea.

Mr Budimir- Bernie Budimir, I'm the owner of the house, yea there's 2 fences behind the trees.

Ms. Ogra- okay.

Mr Budimir- there's a chain link fence and then another fence that the other property has. It's like back-to-back fence.

Ms. Ogra- okay.

Mr Budimir- so just to add to what he's said, I mean our main reason is to maximize space and try to have a better view of the pool from the house. And if it makes any difference, we did talk to the owners behind us, and they have no issue with it.

Ms. Ogra- is the roof, uh is the roof on the patio, is it going to be taller than the garage.

Mr Esh- no.

Ms. Ogra- so its going to, so the garage will still, you wont eb able to see it from the front.

Mr Esh- right. Uh, you could maybe see it from Duck Hollow um, because how it has, it's a corner lot and so ...

Ms. Ogra- yea.

Mr Esh- there's 2, so you would maybe be able to see it from that but yes, from, when you come in the driveway you wouldn't be able to see it.

Ms. Ogra- okay.

Chairman Reinhardt- Matt are you ...

Mr Nearpass- I'm good for now.

Chairman Reinhardt- okay, so I'm trying to understand the, the argument that by reducing the space to comply with the code um you're going to lose I guess visual of the pool or am I not understanding that piece, right?

Mr Esh- um, essentially yes, because its, its taking the whole living space back into the corner more vs getting out parallel with the pool.

Chairman Reinhardt- but by reducing it, and bringing that, the A-frame back towards, would be the south, southwest, just for the sake of argument, its reduced by 3' it would, looks like to me with your, I know your drawings may not be to scale but almost in line with whatever that room is, if it's the house itself, you're going to get more visual observation, you'll be able to see the pool better because that post isn't going to be in the way. I understand the coverage, you know you want more coverage.

Mr Esh-mhm,

Chairman Reinhardt- everybody wants coverage, they want to use their spaces absolutely as much as possible, but one of the criteria that we look at is can you accomplish your goal and comply with the code, is there way to do it and we're just exploring, we're not saying you can't have it, its just, its ideas on ...

Mr Esh- right.

Chairman Reinhardt- what is it that you would lose or gain, um, part of its aesthetics., part of its coverage, and I think to Fred's point its well taken is, you still have quite a bit of coverage it would be a 20 x 17 or whatever that, that dimension is.

Mr Salsburg- also, if you made the uh, patio line parallel with the side yard, uh, and bring the porch with it, you'd pick up I don't know how much looks like might be a couple feet. Because the line of the patio isn't parallel, Sue would you put that survey map back up? ... Yea, that, at the top of the patio it looks like its further from the back line than the bottom of it, if you left uh, the top, the triangle in that, you had the upper angel at 8', you'd be making the most of the view of the pool.

Mr Esh- I'm not sure if I'm following ...

Mr Salsburg- well I'm not sure I'm saying it very good.

Mr Budimir- I think he's saying that the roof structure would be, not perpendicular to the house, it would follow the property line.

Mr Salsburg- yea.

Mr Budimir- is that what you're saying?

Mr Salsburg- yea. That seemed easy enough.

Me Esh- yea, um ...

Mr Salsburg- get some of it back.

Mr Esh- it would be a little interesting making an off square porch but its an option.

Chairman Reinhardt- the other thought that I have, um, Fred are you done with your thoughts over there? – before I jump into mine.

Mr Salsburg- what?

Chairman Reinhardt- I didn't want to cut you off if you were ...

Mr Salsburg- oh no I'm ...

Chairman Reinhardt- okay.

Mr Salsburg- out of ammo here anyway.

Chairman Reinhardt- so if I'm looking again at this right, the house faces west, uh, usually you're in the backyard in the evening, you know mid-day to evening, if that porch is, even if its 2-3 feet less you're still going to, that porch, covered porch is still going to give you sun protection. I can't see how you're going to lose much. Um, the, you know when you say the kitchen area, its, from your drawings and, that already looks like it's not covered anyway.

Mr Budimir- Kitchens not covered. No.

Chairman Reinhardt- alright. So, again, I mean think about it because uh, this has to go to the county planning board for their review, um we're just throwing some ideas out there, things to think about so when you come back, Amber when are they going to hear this?

Ms. Downs- So County Planning Board is June 14<sup>th</sup>, so then our meeting following that would be June 19<sup>th</sup>.

Chairman Reinhardt- okay. So, we're definitely going to see you next time, um, I think we have a good handful of thoughts and questions, uh, anyone from the public want to speak for or against the application? --- you said your neighbors are okay with it? Is there anything in writing?

Mr Budimir- I didn't go there but I could, yea.

Chairman Reinhardt- okay so that helps us. If, because part of it is uh, how does the neighborhood feel about it, just because your neighbor, they all say, oh yea sure, it's all great, doesn't mean you're going to get it, but it also helps if they say oh no I don't want to see it, and puts reasons behind it, so anything in writing, if its an e-mail, or a note on a piece of paper, bring it back, send it to us, we'll certainly take a look at it.

Mr Budimir- okay.

Ms. Ogra- if there's 2 owners on the house, like husband and wife, get both. You know my husband signs off on things without telling me all the time.

Mr Budimir- we won't do that then.

Ms. Ogra- and then, so can you, Suzy can you go back to the like rendering, I just had a quick ... one more. Yea. So, are you saying if you made it, if you had to go 2' in, would it be flush with the like windows there?

Mr Budimir- no right now the closest edge of the post is almost 6' from the house.

Ms. Ogra- 6'? okay.

Mr Budimir- so it would be just bringing it closer, tighter to the house.

Ms. Ogra- okay.

Mr Budimir- you wouldn't be able to walk in between there anymore.

Ms. Ogra- oh, okay.

Chairman Reinhardt- really 3', door openings are 3'

Mr Esh- no ...

Mr Budimir- well it would be 4' to the edge ...

Mr Esh- you'd also have ...

Mr Budimir- outside of the post so it would what ...

Mr Esh- the column is 16-18 inches ...

Mr Budimir- so it'd be 2' 6"

Mr Esh- so, yea.

Ms. Ogra- you'd have to push everybody back and then with the, you're saying with the view point you'd be further back.

Mr Esh- yea, that was ...

Ms. Ogra- like is that a, I don't know what to describe it as, a sunroom with the windows there or something?

Mr Budimir- it's a sunroom, yes.

Ms. Ogra- okay, so then the sunroom would limit your ability to see through the pool, I presume, you can't see the whole pool rendering here but it goes further, its like on a diagonal right?

Mr Budimir- yea.

Ms. Ogra- so you couldn't see your kids if they were further back in the pool, is that the deep end?

Mr Budimir- that is the deep end.

Ms. Ogra- that's not in the picture. This is like the shallow end towards the house.

Mr Budimir- yea.

Ms. Ogra- that's what I thought.

Chairman Reinhardt- when you make these renderings, is that in house or do you have to send out ...

Mr Esh- its in house, yea.

Chairman Reinhardt- id be curious to see what that would, what this would look like, this one here ...

Mr Esh- with, with ...

Chairman Reinhardt- I'm doing exactly what I said not to do. The overhead, rendering overhead.

Mr Esh- mhm.

Chairman Reinhardt- um, if, to comply with the code what would that frame look like, um vs your proposed structure.

Mr Esh- you're saying for the opening from the porch area out to the pool, like what that will look like.

Chairman Reinhardt- right, so I'm looking at the overhead rendering that you have, um, and I think I'm not alone but if we have a look at, to comply with the code what would that roof line look like and what kind of, we're going to see better on, on obstructions and what that's going to limit, as far as usage, aesthetics, things like that.

Mr Esh- yea, I could, I could have another one made up. Yea.

Chairman Reinhardt- yea, I'd, I'd like to see that.

Mr Esh- okay.

Chairman Reinhardt- anyone else, any other questions? --- alright, little bit of homework, you have questions for us?

Mr Esh- um, the only question I kind of had was what it looks like when it goes to the county, what that process is, I was told I don't need to be there just kind of what happens ...

Chairman Reinhardt- you certainly can be there ...

Mr Esh- right. I mean I don't necessarily want to be there if I don't have to be, I was just kind of wondering what that is about ...

Chairman Reinhardt- I don't want to mislead you and tell you, you should or shouldn't be there. Alright, that's certainly up to you.

Mr Esh- yea.

Chairman Reinhardt- the county is going to look at this and have more of a global look on ...

Mr Esh- okay.

Chairman Reinhardt- on what kind of impact is it going to have on the County and other municipalities, my best guess is the reason why um it got triggered and referred to the county is, usually its proximity to a state highway, a municipality, the through way, so ...

Mr Esh- mhm.

Chairman Reinhardt- if they look at it and say well gee, uh, lets take for example if it is the through way ...

Ms. Ogra- it's the through way, yea.

Chairman Reinhardt- you know what difference does it make, the throughway, its being that close as opposed to um if it borders let's say Farmington, and Farmington may have something to say about it, do you know what I'm trying to drive at ...

Mr Esh- mhm.

Chairman Reinhardt- here.

Mr Esh- yea, so if they're all good with that, does that like help the case or does that?

Chairman Reinhardt- no, that's a good question. So, the county is a, um, an advisory board.

Mr Esh- okay.

Chairman Reinhardt- so, what they'll do is, they'll put their comments and depending on how they classify it, they may say we recommend a denial, and give us reasons.

Mr Esh- mhm.

Chairman Reinhardt- at that point the law requires us that if we want to grant the variance, we would need a majority plus 1. So being a board of 5, that's 4.

Mr Esh- mhm.

Chairman Reinhardt- right. But if they say, hey no comments, do whatever you want, uh, we're free to grant or deny with a simple majority.

Mr Esh- mhm.

Chairman Reinhardt- or deny it with a simple majority. Alright make sense.

Mr Esh- mhm.

Chairman Reinhardt- questions?

Mr Esh- no that's it.

Chairman Reinhardt- okay, great.

Mr Esh- alright, thank you.

Chairman Reinhardt- thank you.

Mr Esh- thanks for your time.

Chairman Reinhardt- yup.

**PIRMAND, 6404 Erica Trail**

13-Z-23

Seeking an area variance to keep shed located where it currently sits forward of the frontline of the home. The property lies within the Affronti at McMahan Road Planned Development District. The parcel is a corner lot therefore has two front setbacks. Accessory structures are not permitted to be forward of the frontline of the primary building per §211-31G. (2) of the town code.

Chairman Reinhardt- okay next, um, Pirmand. Am I pronouncing that right?

Ms. Pirmand- Pirmand, yes.

Chairman Reinhardt- Pirmand, okay. I'm sorry.

Ms. Pirmand- I'm Lesia Pirmand, I'm the owner of the property. So, we're seeking an area variance for the shed location, um, my husband and I, we constructed the shed ourselves and uh we placed it as close to the house as possible and at the same level as the garage we were not aware, we didn't know that there were actually 2 lines of um, property lines rather because of the corner lot, I still don't, I'm not really sure exactly where the other line is, but so yea this is how it looks like, this is where we placed it. Um...

Chairman Reinhardt- maybe I can help you with that a little bit ...

Ms. Pirmand- yes.

Chairman Reinhardt- so if we're looking at the aerial.

Ms. Pirmand- mhm.

Chairman Reinhardt- on a regular lot, let's call it, not a corner lot, so the code says that you look at the front, the front of the house and that's usually where the driveway is, that's the front setback requirements then you have the rear backyard and then your sides...

Ms. Pirmand- okay.

Chairman Reinhardt- your sides setbacks to your neighbor's property, but the code, the way its written is, because you're on a corner lot, they're counting the front setback according to each street.

Ms. Pirmand- okay.

Chairman Reinhardt- so you have to comply with the front setbacks both ways.

Ms. Pirmand- mhm.

Chairman Reinhardt- and your shed is on the side of Louise Way, so even though most people would look at it and say well gee the front of your house is where the driveway is and it goes to Erica Trail ...

Ms. Pirmand- right.

Chairman Reinhardt- well it doesn't make it, that's how the code is written for now and that's what we have to work with.

Ms. Pirmand- okay.

Chairman Reinhardt- so that's why the requirement or the need for a variance is in front of us.

Ms. Pirmand- I see.

Chairman Reinhardt- does that make a little more sense?

Ms. Pirmand- uh, yes. I mean its hard to visualize though if you were to move it, like where would it be, um, would you just push it back, the way it is or is it have to go all the way in the back yard ...

Chairman Reinhardt- yea, right. So there's the quandary, pushing it back uh, parallel to Louise Way isn't going to you any good, because ...

Ms. Pirmand- no?

Chairman Reinhardt- you still have the problem of ...

Ms. Pirmand- okay.

Chairman Reinhardt- you need to follow the front setback, even though it looks like its your side yard.

Ms. Pirmand- okay.

Chairman Reinhardt- I know, you, it's a puzzled look everybody has that with this type of situation.

Ms. Pirmand- yea.

Chairman Reinhardt- to comply with the code you'd have to put the shed in the back yard, so ...

Ms. Pirmand- back of the house?

Chairman Reinhardt- pardon me?

Ms. Pirmand- in the back of the house, you mean?

Chairman Reinhardt- right. That's if you comply with the code ...

Ms. Pirmand- yea.

Chairman Reinhardt- it doesn't, granting a variance ...

Ms. Pirmand- it's just with the hill, downhill.

Chairman Reinhardt- okay. So ...

Ms. Pirmand- it's not level ...

Chairman Reinhardt- yea, tell us more about that, what does the back yard look like?

Ms. Pirmand- so, um, there is a patio and then there is a, it just, it goes downhill, its not, you know its not leveled. And then the other side of the house is going to be too close to the neighbor, so there's no room for the shed there, on the other side, I mean like between the neighbor, you know the two houses. Um, I mean we spoke to all the neighbors, and nobody had, you know, nobody has any um issues with the shed but of course you know uh I understand that its against a code. Um ...

Chairman Reinhardt- we'll ask some questions and then ...

Ms. Pirmand- sure.

Chairman Reinhardt- give you a chance uh Matt, got some questions?

Mr Nearpass- sure, so if you, it looks like the backyard obviously has the slope in the survey ...

Ms. Pirmand- it does.

Mr Nearpass- you provided, it looks like it drops, 5 feet.

Ms. Pirmand- yea.

Mr Nearpass- um, you know kind of from start to finish on that, um, it's a tough one, the shed itself is rather large, um, I know I can't really do too much by now, I'm in a ...

Ms. Pirmand- yea. I mean like we had nowhere, like my husband's tractor, the snow blower, like there's no where to put all those, you know large equipment, um I mean the garage is just so small, there's no room for anything, um so that was the main reason we got it, because we had no where to, you know store all that equipment.

Mr Nearpass- on the survey, see where the number 35 is circled.

Ms. Pirmand- yes.

Mr Nearpass- could it go there? Like basically butting up against the rear of the house, or it looks like there's a, is that a gas fireplace? Um, exhaust that's shown?

Ms. Pirmand- uh, fire, maybe the um, the fireplace from the, yes. Yea.

Ms. Ogra- she's got a patio back there now.

Mr Nearpass- no, I'm looking right here. Gas fireplace, looks like the exit, looks like if they put it back here somewhere.

Mr Ryczek- I think, they have a patio that takes up the majority of the back ...

Mr Nearpass- it takes up that where 35 is as well?

Ms. Ogra- yea, you'd have to put, well I guess you could put it right behind.

Mr Ryczek- the back of the patio is essentially like a ...

Ms. Ogra- that's where the slope starts ...

Mr Nearpass- I kind of look at it as um, to me it seems like where you put it...

Ms. Pirmand- mhm.

Mr Nearpass- is probably the best, most logical place to put it, now, um, if one, if you had one at all, right, I think to me the answer is, do you, are you, you know ...

Ms. Pirmand- yea.

Mr Nearpass- does the site allow you to have a shed of that size or not. Right, just because there aren't other places to put it, I, I do think it's, its relatively unique situation, you've got, it's the corner lot, you've got 2 front um, front setbacks, you've got a slope in the backyard, your 13' away from your neighbor on the other side, so you know, you've got a unique situation here, um I want to hear what the other board members have to say.

Chairman Reinhardt- Alexis? Questions?

Ms. Ogra- does this have to go to the county because ...

Ms. Downs- no, this one wasn't in the blue.

Ms. Ogra- I don't have any questions.

Chairman Reinhardt- Lya?

Ms. Theodoratos- do you know currently the, the outer edge of the shed, what distance that is from the street on Louise Way?

Ms. Pirmand- oh its quite a distance. Its again, its we put it veery close to the house, so its ...

Ms. Theodoratos- mhm, right.

Ms. Pirmand- so, yea its pretty large yard, um so yea, there's plenty of room.

Ms. Theodoratos- mhm. Do you know even what the distance is from your house to the edge of the street on Louise Way ...

Mr Ryczek- it's on the survey, its 36.9'

Ms. Pirmand- uh, I'm not sure ...

Ms. Theodoratos- 36.9' okay.

Ms. Pirmand- right.

Mr Nearpass- that's not to the street though, that's to the ...

Mr Ryczek- that's to the right of way.

Mr Nearpass- right of way, then you probably got another 10' to go before you've, you get to the street?  
Looking at the drawing.

Mr Ryczek- yea.

Mr Nearpass- about 45' away.

Mr Ryczek- yes.

Ms. Theodoratos- and what, what is the width of the shed, the front ...

Ms. Pirmand- its 11 x 18, I believe it's a, like those lifetime sheds, standard, either 10 or 11 by 18.

Ms. Theodoratos- you know, I'm just also wondering if, you know if one way to resolve this is to maybe put, you know something like a fence, fence it in a little bit, the way people fence in the pool, you know at least from the side ...

Ms. Pirmand- yea, but its ...

Ms. Theodoratos- I'm just, you know, I'm just bringing that up ...

Ms. Pirmand- we're very tight with financially right now, so its not going to be very doable for us.

Ms. Theodoratos- no more questions at this time.

Chairman Reinhardt- Fred, questions?

Mr Salsburg- to me the shed looks wider in these pictures than it looked like in real life. Its taking quite a bit of their yard with these setbacks, I'm kind of agreeing with Matt, it's a, not a bad looking structure, have there been any complaints form the neighbors at all on this, Adam do you know, are you aware of any?

Mr Ryczek- no, just the anonymous complaint that sparked the ...

Mr Salsburg- what's that?

Mr Ryczek- so the shed was unpermitted, and then we received an anonymous complaint about the shed ...

Mr Salsburg- oh.

Mr Ryczek- which kind of sparked this whole ...

Mr Salsburg- yea. --- There isn't much of any place to go with it, it is setback from uh Erica Trail, a little bit from that front, so I'm kind of leaning towards uh, approving this.

Chairman Reinhardt- good for now? --- Alright. So, its 11' wide, correct?

Ms. Pirmand- 11' wide ... yes. I believe so, yes.

Chairman Reinhardt- and 18' deep.

Ms. Pirmand- deep.

Chairman Reinhardt- and I, it looks like to be a fair amount of space between the shed and the structure itself, so first off how, do you know the distance between the shed, what's the compass direction, so the corner of the shed to Louise Way? What's the distance?

Ms. Pirmand- uh ...

Chairman Reinhardt- alright don't guess at it, Matt, or Matt, Adam, do you know that?

Mr Ryczek- no.

Chairman Reinhardt- know the distance between the shed and the house?

Ms. Pirmand- that's about, and I believe I did send the dimensions in the e-mail to Amber, I believe, but um, I think it's, what was it, uh 6' I believe from the house to the shed. Was that, I don't know, does that sound ...

Chairman Reinhardt- Matt, I keep calling you Matt, sorry Adam, how close can that shed be to the house, without causing another problem with the variances?

Mr Ryczek- uh, with variances its going to cause a problem I think no matter what, uh for code reasons it needs to be 2', so minimum ...

Chairman Reinhardt- okay.

Mr Ryczek- um, but if its, you know, let's say it was at 2' the corner of the house is 36.9' to the right of way, the shed is 11' wide that would be 13', so it'd be, we're talking about a setback reduction here as well. Which is what I put in my comments, I was looking for that information.

Chairman Reinhardt- right, right. ---

Mr Salsburg- this lot towards Settlers is enough so it doesn't look crowded.

Chairman Reinhardt- that's a 2-bay garage?

Ms. Pirmand- uh, 2, uh yes, 2 car garage.

Chairman Reinhardt- I'm looking, as I'm going through the criteria, um, one of the things we look at is, is it going to change the character of the neighborhood, and the way that the code is written and it makes some sense, that if you have side yard and you have room to put it, or usually, sheds are in the back yard area and to Lya's point, they're fenced in, or they're buffered with ...

Ms. Pirmand- mhm.

Chairman Reinhardt- vegetation and what not, but your yard that borders Louise Way is a bit of a no mans land, its out there, so putting a shed there arguably is going to change the character of the neighborhood, its just not the shed itself its where its located.

Ms. Pirmand- mhm.

Chairman Reinhardt- and I understand the problem that it being in the backyard, that it slopes and what are you going to do and um, you'd have to build it up to do something to put the shed back there, but I, it's a bit of a head scratcher to be is, why cant you, whatever it is in that shed, why can't you get it in that 2 bay garage? --- I know it's a rhetorical question, you don't have to answer that.

Ms. Pirmand- yea. I mean ...

Chairman Reinhardt- you said you've talked to your neighbors?

Ms. Pirmand- mhm. Because they all received the, you know the little post cards, so they were all you know saying that, you know hey we have no problem with that being there, it doesn't affect anything. Um, I mean, I can, they were asking if they should you know submit something, I mean if that's, you know would help, I could ask them to. I mean I don't know.

Chairman Reinhardt- I'd be curious about it, um ...

Ms. Pirmand- sure.

Chairman Reinhardt- if they, you know the neighborhood especially in closer proximity to ...

Ms. Pirmand- yes.

Chairman Reinhardt- where this shed is currently, on how they perceive it.

Ms. Pirmand- mhm. I can certainly do that.

Chairman Reinhardt- how does the board feel about that, at least getting a better feel in writing what the neighborhoods, especially the neighbors right around her have to say? – Matt, is that going to make a difference for you or not?

Mr Nearpass- um, it may, I guess Id be opened to it, I'm, the tough part here is right the shed is there.

Ms. Pirmand- mhm.

Mr Nearpass- its an entity, and so we're kind of here trying to deal with it vs ...

Ms. Pirmand- yea.

Mr Nearpass- you know if you were able to come in front of us before you put the shed there to just kind of walk through it ...

Ms. Pirmand- yea.

Mr Nearpass- and work it out a little bit, right and its one of these where its, unfortunately, I don't know how to better say it, it kind of gets plopped down in front of us and now its our problem, right and ...

Ms. Pirmand- yup, I understand and trust me I wouldn't ...

Mr Nearpass- no and I'm not ...

Ms. Pirmand- put anybody in that position, I mean we honestly, we didn't, we just didn't give it a thought even, so, um ...

Mr Nearpass- and I get it, that's, that's the unique part, I mean obviously there is, is there opportunity to bump the garage out and really use, really extend the home to that, you know you've seen sometimes you see the, like a 3 car garage with a third bay is literally over the grass because it included like the lawn mower equipment and snow blowing equipment, um, but it's part of the home, right, its just a third bay ...

Ms. Pirmand- yes.

Mr Nearpass- garage door, have you thought of that or looked into that?

Ms. Pirmand- I mean, we thought, I mean we wanted originally when we were building the house to do it but it was just too, you know extra, extra cost, and its, it was significant amount of money, so we didn't do it.

Mr Nearpass- um, I'm also assuming because again you said snowblower equipment, in the middle of winter you're not going to want to be in the backyard anyways trying to get the snowblower from the back yard up the hill into the driveway, I'm with Mike in that jeez there's got to be a way you can fit all of that in the garage, I have a 2 bay garage door and you can fit all sorts of stuff in it as well, you know the area in front of, you know between the car and the wall forward of it, uh, I understand laterally, right there usually isn't much room, threes enough width to open a car door and get yourself out without dinging it and most of them, if it's anything like mine, uh, but it just feels like you know maybe there's a way you can make it work with the garage that you have um, it might, you know you might have to do some house cleaning to see what's in there, but its just uh, the character of the neighborhood piece is tough with me, I didn't really see anything that's, you know certainly forward of the frontline of the homes um, you know around there, so it's, it's a tough one, I'm really torn, you know partially again because its already existing, um and it is relatively significant it's a you know, like you said 10 x 18 you know size structure, um, I'm not sure to be honest with you ...

Chairman Reinhardt- Alexis?

Ms. Ogra- um, yea it's a tough one for me too, the whole, the character of the neighborhood it doesn't really match the house at all, maybe if it was a little further back towards the backyard with like a fence around it, that would be, you know its blocking it somewhat, but you've got an accessory unit that really changes, I mean you look at the front of the house and now the whole, completely different. So, maybe if there was something like we could table it until the next meeting, something from your neighbors in writing, um, it's a little hard to because we got a complaint but its anonymous which is you know a little hard for us, is it from one of your neighbors kind of thing or someone just driving through, um, but if you had some sort of support from neighbors around ...

Mr Nearpass- what if it was, you know Adam, what if it was just a, at some point was just a fenced in area? You know with a fence door on it that went up to the house? Obviously, it wouldn't have a roof on it, you'd have to you know, inside there you might ...

Mr Ryczek- a fence would require a variance, because its forward of the frontline ...

Mr Nearpass- because it'd still be forward of the frontline, okay. It'd be a little easier to, I don't know, again if it weren't there, it'd probably be, to me it'd probably be an easier sell to say it would be, you know it'd match the house better, it'd be a little more in character of the neighborhood that kind of thing, if it was you know a fence scenario. Um, and then you've got the uniqueness of the 2 front setbacks. I don't know just throwing it out there, I know, like I said it exists so you've ...

Ms. Pirmand- yea.

Mr Nearpass- you've expended the cost and everything I say just adds cost but ...

Chairman Reinhardt- Lya?

Ms. Theodoratos- I think the solution would be to put a fence around it, that would then match the house ...

Chairman Reinhardt- you can't ...

Ms. Theodoratos- and like ...

Chairman Reinhardt- you can't, it still needs a variance.

Ms. Theodoratos- you can't, it still a variance.

Ms. Ogra- it'd be easier to grant the variance.

Mr Nearpass- I was thinking the fence in lieu of the shed. Not, you're saying ...

Ms. Ogra- oh you mean like ...

Mr Nearpass- I'm saying if you just didn't have the shed and it was a fenced in ...

Ms. Theodoratos- yea a fenced in ...

Mr Nearpass- you know, 10 x 18 area, that had a you know a fence gate and you couldn't, you know vinyl fence, you couldn't see through ....

Ms. Ogra- oh.

Mr Nearpass- but behind it is the snow blower and all that, like probably with a tarp over it to keep it out of the elements but ...

Ms. Ogra- okay. I mean I was ...

Mr Nearpass- again I don't want to engineer it, I'm just ...

Ms. Theodoratos- yea.

Mr Nearpass- I was hearing that, and the shed wasn't there already, that'd be one suggestion I would have to at least help with the, you know the, does it fit within the character of the neighborhood.

Ms. Theodoratos- because even though, you know it's a nice looking shed, but it doesn't really match the neighborhood and like what was said before its you know changes the character of the neighborhood so and that's why I brought up a fence, something enclose it, you see that a lot with houses whether they're enclosing a pool or some other part so its really a tough one because I understand you need the extra space and you know but like Matt said, you know maybe go through your garage again and I remember where I used to live people, people had all these boxes up against the wall of the garage I don't, to me it looked like a car barely fit in. So, it, its just a tough one.

Chairman Reinhardt- I don't, I don't think a fence is really, that's a completely different rabbit hole, um and if you look at the Louise side of your home, and as you continue down Louise Way, the side of your house is close to where the frontage is for the rest of those homes.

Ms. Pirmand- mhm.

Chairman Reinhardt- you put a fence around there and now you're causing obstruction for those people on Louise Way, and that, I think that's one of the reasons why the code is written the way that it is on that corner lot is not to create more obstructions for safety, it is a community safety looking at the criteria, it is, the first one is an undesirable change going to be created in the neighborhood, Id be hard pressed to say it wouldn't be, it's a corner lot its going to be out there, um can you achieve it some other way, well I think we're talking about, you've mentioned before, probably not, you can't really put it in the backyard and comply with the code, the third is the area variance substantial, it is. You are on the side yard, is it going to create any kind of environmental conditions or impact, probably not. Self-created? You put it there, so can you kind of see how the, it's a bit of a, it's a close call here on what is it really going to look like ...

Ms. Pirmand- mhm.

Chairman Reinhardt- um, and I think Alexis's point is well taken is, somebody or a group of people pushed the, we don't like that shed there, and talked to the Town and Adam had to go out there and say well that's right, that's not supposed to be there, so ...

Ms. Pirmand- mmm.

Chairman Reinhardt- we, I would be interested in seeing ...

Ms. Pirmand- yea.

Chairman Reinhardt- are there neighbors that, yea we're okay with it, doesn't mean that youre going to get it.

Ms. Pirmand- sure.

Chairman Reinhardt- but it would help us maybe understand a little better.

Ms. Pirmand- yea.

Chairman Reinhardt- on and give us a little more time to ruminate a bit about what to do with it. Fred you okay with that, about ...?

Mr Salsburg- how long has the shed been there?

Ms. Pirmand- uh, October of last year, right before winter started, we put it.

Mr Salsburg- so not quite a year.

Ms. Pirmand- October, not quite a year. No. Um, I just have a question for um you, Lya, um when you say, um it doesn't match the character of the neighborhood, now what exactly are you referring to ...

Ms. Theodoratos- because it's not the same color of the house, you know it has a dark ...

Ms. Pirmand- well I mean I've seen sheds in other neighbors and then they are different colors, I mean I see navy colors, see all kinds of colors of sheds and I mean it doesn't match the house, but I mean nobody seems to have any problem with their, you know, uh ...

Chairman Reinhardt- as much as its hard to again grasp what that code is describing, technically that's the front yard, there are no sheds in the front yard in that whole neighborhood, so it will change the character of the neighborhood if sheds are permitted in the front yard as the code defines it.

Ms. Pirmand- mhm.

Chairman Reinhardt- its not necessarily the color itself its where its located is ...

Ms. Pirmand- okay, yes. Okay.

Chairman Reinhardt- it's the bigger impact.

Ms. Pirmand- yea, our luck is we have this lot, so ...

Chairman Reinhardt- I understand it ...

Ms. Pirmand- with the big slope and everything else ...

Chairman Reinhardt- right, right ...

Ms. Ogra- and I think maybe because it's on the side, right directly on the side almost like its connected to the front of the house, because it I don't want to say doesn't match, but because it doesn't match it does kind of, its almost like its being placed to look like it flows with the house as kind of one almost building but because of the difference in appearance it doesn't.

Chairman Reinhardt- this is going to give us another opportunity, I will, I'm going to drive through the neighborhood again take a closer look at it, now that we have a better idea of what your application is about and now we've heard from the board and I encourage everybody else drive by again, take another look at it, in the meantime, if you're okay with it, do a little bit of homework, see if you can find out from your neighbors if they're supporting this or not ...

Ms. Pirmand- oh, no absolutely. Yup.

Chairman Reinhardt- and we would see you on the 19<sup>th</sup>. You okay with that?

Ms. Pirmand- June 19<sup>th</sup>?

Chairman Reinhardt- yes. Are you available for that? Or is, we could do it the next meeting.

Ms. Pirmand- sure. Is it the same time?

Chairman Reinhardt- yes.

Ms. Pirmand- 7?

Chairman Reinhardt- yes.

Ms. Pirmand- yes.

Chairman Reinhardt- I can't tell you what order you're going to be in, I'm almost assuring you're not the only one, because I know there's a few others, so ...

Ms. Pirmand- okay.

Chairman Reinhardt- so its probably going to be a heavy agenda.

Ms. Pirmand- sure.

Chairman Reinhardt- okay.

Ms. Pirmand- okay, sounds good, well thank you.

Chairman Reinhardt- I'm going to ask anyway, anybody want to speak for or against the application? ---  
uh, no, okay.

Ms. Pirmand- thank you for your time.

Chairman Reinhardt- very good, you have a good night.

**SELF SERVE PET WASH, 7387 St Rt 96 Suite 200** 14-Z-2023  
seeking an area variance for an illuminated LED sign with the words PET WASH to be displayed within the business window where §131-8 states luminance from windows must not originate from illuminated signs and §131-10 states exterior lighting of nonresidential use properties must comply with the provisions regarding time of day and hours of operation, *may only be operated during business hours.*

Chairman Reinhardt- Self Serve Pet Wash. Thanks for your patience.

Mr Palumbo- no problem.

Chairman Reinhardt- and you are.

Mr Palumbo- I'm Mark Palumbo from Self-Serve Pet Wash, sorry, I wasn't sure if you were ready or not.

Chairman Reinhardt no, I'm ready.

Mr Palumbo- and um, I opened up this business back in January, I have another location in Greece, and um, its, it was a sort of like a retirement thing for me that I started, uh for the future, for extra income, and uh, so the signage was sort of expensive, the one I put in Greece cost me almost \$3,000.00 and I have the same white lettered sign in Greece, it was only \$300.00 off of amazon, it doesn't flash, it doesn't blink, its not a, you know a crazy colors or anything like that, so I thought it would be okay to put in the windows of the Pet Wash so I could get the business up and running before I spend a lot of money on a signage for the front. Up top above the doorway.

Chairman Reinhardt- are you saying this is the window light is temporary?

Mr Palumbo- no, that's what I, the words Pet Wash I was looking to keep there as a permanent sign.

Ms. Ogra- but are you like waiting to make more money more profit ...

Mr Palumbo- yes.

Ms. Ogra- and then in the meantime ...

Mr Palumbo- if, if ...

Ms. Ogra- and then put the sign on the building.

Mr Palumbo- as business picks up, it's been quiet, I thought it would be like a lot busier, being next to the Victor Vet, and it's been quiet, the washes, there's 2 wash bays in there, its only \$17.00 a wash.

Ms. Ogra- okay.

Mr Palumbo- so its not like mi generating a ton of income where there's other sources of income generating out of that space, its 300SF, so there's not room to put retail in there and it's been quiet. So, I was just hoping to try to increase revenue and before I spent, you know anywhere between \$1,500 and \$3,000 on a sign for the front ...

Mr Nearpass- I can't imagine it would cost that much though.

Mr Palumbo- uh 3 x 3 is \$1,500 installed. A backlit LED sign, the words Pet Wash that I did in Greece cost me almost \$3,000 installed.

Mr Nearpass- but here, how much linear footage do you have, how big of a sign can you have up there ...

Mr Palumbo- its only 10' across. It's not, the inside of the building is 10' across.

Mr Nearpass- yea, right so you're allowed a, 2 x 5, how, you're allowed a 10, 2 x 5 sign.

Mr Palumbo- right.

Mr Ryczek- 10 square feet, however you want to slice it.

Mr Palumbo- so I ...

Mr Nearpass- 10 Square feet.

Mr Palumbo- so I was pricing out a 3 x 3 because its sort of a standard, like 3 x 3, 4 x 4, square which is the cheapest I could find, and having it installed was close to \$1,500.00 ...

Mr Nearpass- you have to have it lit up?

Mr Palumbo- it would make sense at night, I mean, I'm not trying to be rude, but ...

Mr Nearpass- no, no ...

Mr Palumbo- I mean the plaza is very dark, there's not a lot of lighting in there ...

Mr Nearpass- so it's opened at night?

Mr Palumbo- I keep it opened 24 hours a day, yes.

Mr Nearpass- okay.

Mr Palumbo- and the sign I have now, you can barely see it during the day, the sunlight really flushes it, drowns it out anyways and then at nighttime, its just stays bright white, that's it.

Mr Salsburg- in between the Monroe Muffler shop and Sherwin Williams store.

Mr Palumbo- yes, sir.

Mr Salsburg- it's a one window operation.

Mr Palumbo- yes. It's a, just a 300Sf, its not even 300sf inside.

Mr Salsburg- I saw 10 somewhere.

Mr Palumbo- yea, yes. Its 10 by about 25/26 inside usable square footage, um I've been doing a lot of social media, so it's been picking up a little bit, and uh, I did a fundraiser this weekend out in, for the Verona Street animal shelter, uh that's helped. Increase a little bit this weekend. So, I'm trying to get the work out there, you know to increase business, obviously, I was very surprised, I thought I'd get a lot more traffic from the veterinarian's office.

Mr Salsburg- I bet there aren't very many people that know its there yet.

Mr Palumbo- there aren't.

Mr Salsburg- it's a busy front.

Mr Palumbo- it is, but the, I think a lot of the problem is, is that the plaza doesn't have a road sign, so you're coming into that area just after the merge, from 490 anyways and people are cooking along, 50/55 mph, and traffics blending, so your really now looking to your right, and there's no street sign to help that out, with what businesses are located in that plaza, so its sort of tough, it's a tough location. And it sits down, and back, and at nighttime its dark.

Mr Nearpass- so why'd you pick that spot?

Mr Palumbo- a friend of mine owns the plaza.

Mr Nearpass- okay.

Mr Palumbo- he's the vice president of DeMarco. So, he gave me a deal on the spot and helped me out, we, and to be honest with you, it was right next to the Victor Vet, oops sorry. It seemed like a no brainer of a location to put it.

Ms. Theodoratos- yea.

Ms. Ogra- I can say I've gotten your Facebook ads myself, um I actually take all of my animals to Victor Vet care, and I get my hair cut at Brooks and Harlow in that plaza and the only reason that I got to those 2 is because I pass them every single day on my way to work, um 96 towards the throughway ...

Mr Palumbo- okay.

Ms. Ogra- um, but I can't see your sign because it's in the window. So, I see where, I see exactly where you're going with the sign in the window um, and wanting to wait to spend that money on it, uh, as for like advertising purpose I would say, you probably would have seen it before I got the Facebook ad if you, you see what I'm saying ...

Mr Palumbo- yes.

Ms. Ogra- just because it's on the building. Um, I don't know if cheaper to get a not lit up, I know you know you want it, people to see it at night, I don't think its all, 96 is almost isn't that busy at night, in the winter obviously though it gets darker earlier.

Mr Palumbo- true. Could I have both? A non-lit sign on the front of the building which would obviously be a lot cheaper and keep the lit Pet Wash ...

Chairman Reinhardt- you can keep the lit open. The code allows you I think the open, the lit open sign.

Ms. Ogra- open sign.

Mr Ryczek- so the Pet Wash sign in the window would require a variance no matter what.

Mr Palumbo- correct.

Mr Ryczek- you're permitted to have a sign on the building, so you don't ...

Mr Palumbo- okay.

Mr Ryczek- need a variance for that, whether its lit or not.

Mr Palumbo- okay.

Mr Ryczek- you're allowed 10 Sf of a sign.

Mr Palumbo- okay.

Mr Ryczek- it doesn't necessarily have to be, I don't know what the plaza rules are, but it wouldn't have to be backlit sign, if it was, you know, an unlit sign and you then had downward lighting on it, that may be a less expensive avenue. But I don't know.

Mr Palumbo- okay.

Mr Ryczek- as opposed to, you know what I'm saying, instead of a backlit sign have it front lit.

Mr Palumbo- okay.

Mr Ryczek- you know with a light essentially, um maybe cost wise.

Mr Palumbo- alright.

Mr Ryczek- that would be, but that would just require a permit, there's no variance required for that.

Mr Palumbo- okay. I understand.

Chairman Reinhardt- Lya questions?

Ms. Theodoratos- you answered most of my questions, but I have a comment.

Mr Palumbo- okay.

Ms. Theodoratos- without it having the larger sign, you know on the plaza next to Monroe Auto Parts, if I saw this with a Pet Wash in the window lit up, I would wonder if its part of Monroe Auto Parts, where they just opened up a pet wash part of it, because, because it doesn't, you know because it's, it's small you know it's a small square footage, you have just a door and a small window, I think it would generate more business having a bigger sign.

Mr Palumbo- okay.

Ms. Theodoratos-and then, like Adam said you're allowed to have that open sign illuminated. Correct, is that ... and you could have that. Because I think everybody is missing it because you don't have the big sign and I, I get it you're waiting until you generate more business, I understand that, but I think its going to, you're going to have more business with a larger sign.

Mr Palumbo- okay.

Ms. Theodoratos- that's ...

Mr Palumbo- alright.

Chairman Reinhardt- Alexis, other questions/comments?

Ms. Ogra- um, would you grant a temporary variance? Is that ...

Chairman Reinhardt- that's possible.

Mr Palumbo- Id be good with that.

Ms. Ogra- because I'm not, I'm not adamantly opposed to having the sign in the window, it doesn't, it doesn't really, it doesn't change the character of the neighborhood, it doesn't look, it's just the words "Pet Wash" its nothing, not obnoxious.

Mr Nearpass- I mean we just went through this whole thing, right?

Ms. Ogra- yea.

Mr Nearpass- with the place right down the street.

Ms. Ogra- but yea, that's ... I see what you're saying.

Mr Nearpass- with signage in the window, we've gone through this for years with everyone in that corridor in the um, for just wanting to put signage everywhere, I kind of look at it like, the cost of doing business in that spot includes sign, a 10 Sf sign that, that goes above it. Um ...

Mr Palumbo- can you give me 90 days?

Chairman Reinhardt- we can't ...

Mr Nearpass- if you said ...

Chairman Reinhardt- we can't give you anything right now because it's going to the county...

Mr Palumbo- okay.

Chairman Reinhardt- Planning Board.

Mr Palumbo- alright.

Chairman Reinhardt- so ...

Ms. Ogra- so that's at least 2 weeks.

Chairman Reinhardt- get some facts straight.

Mr Nearpass- yea, so, so in my opinion if you told me in 90 days that sign would be gone and you'd have another one up there, I would be okay with that, I don't think I'd be okay with a variance, Id probably look to code enforcement and say can you have a 90 day stay from getting nasty letters, I don't know how that would work, I don't know, we don't really do that. Um ...

Chairman Reinhardt- wait, there, they're called sunset provisions, you grant the variance for 90 days and ...

Mr Nearpass- so we could ...

Chairman Reinhardt- yea, it goes then it gone. If that's how it would work.

Mr Nearpass- so I would be okay with, me personally, I would be okay with that. It wouldn't be permanent it'd be, if it was truly temporary and it's not something that every 90 days, you'd come up in

front of us and say I want another 90 days. I would be for that. Um, and then you'd, you'd still have the open sign, um you know that you could put in the window.

Mr Palumbo- okay.

Mr Nearpass- that's just, I'm only, I'm just 1 person up here ...

Mr Palumbo- I understand.

Mr Nearpass- but that's how I feel.

Mr Palumbo- I mean from the beginning I've never looked to ruffle anyone's feathers ...

Mr Nearpass- yea no, I ...

Mr Palumbo- you can talk to Adam ...

Mr Nearpass- no feathers ruffled.

Mr Palumbo- as soon as I found out there was an issue I contacted him immediately, and I, uh I've got no problem working with it, with the town, I'm not looking to ruffle any feathers, just a small business just trying to make a few bucks.

Mr Nearpass- yea, yea, no, no, don't know feathers ruffled here, I'm just trying to um, I also think ahead to the not you, as the applicant to, all of the other applicants ...

Mr Palumbo- I get it.

Mr Nearpass- past and future.

Mr Palumbo- I get it. I get it, I understand completely.

Mr Nearpass- and this, in the same situation or very similar situation, um, yea, so that's kind of where I'm at.

Chairman Reinhardt- were you done Alexis?

Ms. Ogra- yea, I, like Matt was saying I mean I'm not opposed to something temporary, it just, its also hard because we get a lot of people who come before us looking for signs and they're not allowed to have signs, so its almost like, you're allowed to have a sign but you're looking for a different type of sign, um where as some people don't even have the privilege of getting one kind of thing. No, but I wouldn't be opposed to a temporary one.

Chairman Reinhardt- Fred?

Mr Salsburg- I think that the sign on the building is a covering, is there some other way really well. And with a temporary 90-day sunset give you s chance to see if you want to go any further with it.

Mr Palumbo- I think I could have something up there within 90 days and get the words "Pet Wash" down

Mr Salsburg- that sounds like a real good answer to me.

Mr Palumbo- yea, I got no problem with that.

Chairman Reinhardt- so here's my take on it, you um, the way you described the problem is that its, the plaza sits down, and it can't be seen, that Pet Wash window really can't be seen then. That's why those signs are higher up. The other point is, if you are opened 24 hours, Monroe isn't, Sherwin Williams isn't, those, all those lit signs are darkened. You'd be the only sign that says Pet Wash.

Mr Palumbo- actually no, they're lit at night, I'm sorry I didn't mean to interrupt you.

Chairman Reinhardt- okay. So ...

Mr Salsburg- I know the Monroe is ...

Chairman Reinhardt- lets just, go with that, but where I really wanted to hit is, that sign Pet Wash sign, um, we have pets, I don't know who would go in there at 2:30 in the morning, I can guarantee you if my wife decided to say, hey I'm going to get the dogs washed, "no, no you're not" right., its, it just looks like, I don't know, its, it doesn't look like it's a legitimate business with your neighbors being Monroe and Sherwin, but if you have that sign like all the others do, uh that says I'm here, I'm opened, I'm safe, right, the sign or the photo that you have its dark. I, all those things that you have said is you can't be seen, you're not helping that being that Pet Wash being so low and so small, especially if its, somebody is going 50 mph/ 55 they're not supposed to, they're not seeing that. Um., up and down the roads on 96, there's those temporary sandwich boards, don't leave them out all day. Um, but to say hey I'm here, I'm opened. You know come on in. There are options there other than what you're proposing. For right now I'm not necessarily opposed to the temporary, what I am concerned about is if we do a temporary sunset provision like Matt said, oh can I have 90 more days, 90 more days, I'm not quite there, 90 more days, and then it just keeps going on ...

Mr Palumbo- I don't mean to be interrupt you, I don't work that way.

Chairman Reinhardt- okay, alright, we got it down on the record. But what we're going to need though is uh, the County Planning Board referrals, the comments.

Mr Palumbo- okay.

Chairman Reinhardt- so were you listening before ...

Mr Palumbo- yes. Its next week and then I come back on the 19<sup>th</sup>.

Chairman Reinhardt- right.

Mr Palumbo- yup.

Chairman Reinhardt- so they're going to give us comments, more than likely County Planning Board is almost always more opinionated ...

Mr Palumbo- mhm.

Chairman Reinhardt- wants to give their advisory opinion on signs, they're strong about that, as opposed to sheds and fences and some other things. So, don't be surprised if they say no, denial. If they do rule on

a denial, then if we were to decide to grant the variance, we would need 4, not just 3, alright so majority plus 1.

Mr Palumbo- okay, mhm.

Chairman Reinhardt- okay.

Mr Palumbo- sure.

Chairman Reinhardt- questions, comments?

Mr Palumbo- all good.

Chairman Reinhardt- anyone else questions/comments? --- I'll say it anyway just for the record, anyone want to speak for or against the application? – no, Suzy, anyone? --- no one, okay. Um, and I think what we'd also like to see is what, how much would it cost to put what you are permitted to have on the facade. Is the name of your business Pet Wash?

Mr Palumbo- self serve Pet Wash.

Chairman Reinhardt- okay, so what that would look like, how much would it be, I don't think it's a huge factor because its, there isn't an element of the cost of the signage, or the cost of doing business. That's something that you've taken on, you've decided to go down that road. Uh, we wish you the best.

Mr Palumbo- sure.

Chairman Reinhardt- it'd be worth I think a look at.

Mr Palumbo- okay, absolutely.

Chairman Reinhardt- any other information you have we'll be certainly happy to take a look at it.

Mr Palumbo- okay, thank you.

Chairman Reinhardt- alright?

Mr Palumbo- yea.

Chairman Reinhardt- good, you have a great night.

Mr Palumbo- thank you, you too.

Chairman Reinhardt- Adam, anything for us?

Mr Ryczek- not today.

Chairman Reinhardt- alrighty, anyone else? --- No, we're good, we're good.

On a motion made by Mike Reinhardt and seconded by Alexis Ogra the meeting was adjourned at 8:01 pm.