

CHILI ZONING BOARD OF APPEALS
July 27, 2021

A meeting of the Chili Zoning Board of Appeals was held on July 27, 2021 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson Adam Cummings.

PRESENT: Mark Merry, Fred Trott, Philip Supernault, James Wiesner and Chairperson Adam Cummings.

ALSO PRESENT: Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manger.

Chairperson Adam Cummings declared this to be a legally constituted meeting of the Chili Zoning Board of Appeals. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

ADAM CUMMINGS: Applications 2 and 4, as they show up on agenda -- at the applicant's request, those have been postponed until next month so they will not be heard tonight. Any issues with signs of the remaining four applications?

The Board indicated they had no problems with the notification signs.

1. Application of Mark & Charlene DeCory owner(s); 9 Minute Man Trail, Rochester, New York 14624 for a variance to erect a deck with a 59' front yard setback (60' req.) at property located at 9 Minute Man Trail in R-1-15 District.

Charlene DeCory was present to represent the application.

MS. DECORY: I'm Charlene DeCory. I live at 9 Minute Man Trail and we're requesting a 1 foot variance for a porch to be added to the front of our house. It's going to increase the -- it will improve the look of the front of the house, the street view. It's going to be made of Trex Select pebble gray decking, Home Depot brand vinyl railings and white PVC trim board. 6'16" by 6". And we felt that 16 by 5 which would not require a variance would be a little shallow for what we want to use it for, to put some chairs on it. Maybe a small table.

ADAM CUMMINGS: Especially with the swing arc of the door as it opens.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Fred Trott made a motion to close the Public Hearing portion of this application, and Mark Merry seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: You will have to get a building permit for this one, so please continue working with Paul (Wanzenried) in the Building Department. That is the one condition. You will have to get a building permit, which you already applied for, they denied and then you showed up here.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type II Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

Mark Merry made a motion to approve the application with one condition, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 5 yes with the following condition:

1. Building permit is required prior to commencement of construction.

The following finding of fact was cited:

1. Variance is minor in nature and structure will not have adverse impacts to traffic line of sight.
2. Application of Mark Vigna owner; 3435 Chili Avenue, Rochester, New York 14624 for a variance to erect a structure (shed) 10' from rear setback (60' req.) at property located at

3435 Chili Avenue in R-1-20 District.

Postponed until next month at the applicant's request.

3. Application of Karen McCabe owner; 14 Bright Oaks Drive, Rochester, New York 14624 for a variance to erect a structure (shed) 1' from existing structure (garage) (8' req.) at property located at 14 Bright Oaks Drive in R-1-15 District.

Karen and Patrick McCabe were present to represent the application.

MS. MCCABE: Hi. I'm Karen McCabe, 14 Bright Oaks Drive 14624. We want to put a shed 1 foot outside of our garage. Just the way -- with the backyard layout where we -- there was an addition on the house. There is a -- a split-level deck and a pool and then the grade of the backyard does slope towards the creek in the back, so there is no level area to be able to -- to put the shed. We are waiting to put a deposit, but I have someone ready to come for a vinyl-sided shed to go alongside the property so that it matches. Doesn't change the aesthetic when you look at the front of the house. Just the best place to make sure that we can keep it there and maintain it appropriately.

ADAM CUMMINGS: Okay.

JAMES WIESNER: Obviously you're boxed in by drainage easements and a sewer easement, as well. Just looking at the property I was wondering why is it not in the back left corner. You're saying the slope of the land dips down quite a bit.

MS. MCCABE: It is even starting to impact the pool, as well, the grade the way it slopes. We're just not comfortable we would be able to keep it level without any damage in that backyard.

JAMES WIESNER: Is that a State variance, I guess, 5 feet or 3 feet?

ADAM CUMMINGS: That would be from the side setback. We don't --

JAMES WIESNER: I thought it was from structure?

ADAM CUMMINGS: I don't think so.

PAUL WANZENRIED: No.

ADAM CUMMINGS: From side setback, right?

PAUL WANZENRIED: Correct.

JAMES WIESNER: Interesting. We had the one before us a few years ago too close to a building.

ADAM CUMMINGS: Is that the pool one?

PAUL WANZENRIED: There is a change, Jim (Wiesner). They changed it in 2015. It used to be that way, yes, sir, but it got away from that. Minimum fire separation.

JAMES WIESNER: So it's just local now.

PAUL WANZENRIED: Uh-huh.

ADAM CUMMINGS: Good question.

MARK MERRY: Is there no opportunity to put it on the opposite side of the house, on the end?

MS. MCCABE: On the opposite side, the end?

MARK MERRY: To lessen the variance.

ADAM CUMMINGS: On the south side, your chimney side?

MS. MCCABE: I don't think we can go on that side, right?

MR. MCCABE: So -- sorry.

MS. MCCABE: Our garden is on that side. We would have to move the existing structures with the bed we have in that spot. So it naturally felt right to go off the garage, near one of the side entry doors into the garage. That is what made our decision for that particular location.

MR. MCCABE: Patrick McCabe, Karen (McCabe)'s husband, also 14 Bright Oaks Drive. We have a 12 by -- 12 by 20 foot raised bed on that side of the property, so I mean it's not impossible, but improbable to kind of move that.

MS. MCCABE: Sunlight is not on the other side. So the garden fits on that side of the property; whereas, the shed does not need the sunlight. So it is on the right facing.

MARK MERRY: Is there any way to rotate that shed so that it is not a foot off the property line?

FRED TROTT: It is off the house.

MARK MERRY: Off the house, rather.

ADAM CUMMINGS: I think what he is saying is you're drawing it as if it is going with -- well, I think they're just trying to pin it close to it.

MARK MERRY: Right. Is there an opportunity -- I'm just throwing out all variables, right?

MR. MCCABE: If I may, the struggle would be if the 12 foot side was going this way, we would be encroaching 8 feet from the neighbor's line as well as the easement if we moved it that way.

MS. MCCABE: It would be well into the easement.

MARK MERRY: Okay. Thank you.

FRED TROTT: Just an odd ball question. Why not attach it to the garage or build one from the garage out?

MS. MCCABE: It's possible. It was recommended to us that we should have some space

in between. I don't know if that is not the recommendation, but to rather put it flush against the house on the garage? Is that what you're saying?

FRED TROTT: No. As -- making a wooden structure that you could even access from your garage, as well as the outside of the shed and have it attached to the house.

PAUL WANZENRIED: That would be an addition on the garage.

PHILIP SUPERNAULT: A garage addition rather than a separate building.

MR. MCCABE: I don't know if that had really crossed our minds, to be honest. So --

FRED TROTT: It would cost more.

MR. MCCABE: It would cost more.

MS. MCCABE: Budgetary concerns. This is pushing it a little bit, but we really need the space to take the storage out of the garage. It had not crossed our mind because we were trying to stay with a budget and building an addition obviously is going to be an added cost rather than just the pre-built structure.

ADAM CUMMINGS: One other word of caution on that. It would encroach on that storm water easement, the storm sewer easement that is there. It shows it is 20 feet wide. The building would be really close to that. I don't have the wording on the easement, but most of those still would allow impact adjacent to that. Meaning if somebody had to maintain from the Town spoils or equipment or anything going in there, that would encroach on that easement and probably obstruct any efforts on that.

JAMES WIESNER: Realistically, the shed is so small.

ADAM CUMMINGS: The shed is easier than a garage addition is what I'm getting at.

PAUL WANZENRIED: It is one thing to move a shed, a non-permanent structure. It is another thing to put something permanent in an easement.

FRED TROTT: Didn't think of that.

PAUL WANZENRIED: Going back to Mr. Merry's questions -- I don't want to raise an issue -- but is your concern, Mark (Merry), that it is flush with the front? That they have the ability to slide it to the rear and it wasn't so far up front? I was just trying to understand your questioning.

MARK MERRY: That was my -- my train of thought, Paul (Wanzenried). I didn't know if it would make a difference to just have it offset a little more.

ADAM CUMMINGS: You're saying off of the front plane or front face of the garage there?

MARK MERRY: Yes.

ADAM CUMMINGS: Okay.

MARK MERRY: Thank you for the question.

MS. MCCABE: To put it any further back on the side that we're talking about, it would either obstruct the door going into the garage -- and if we were to try to rotate it any further into the backyard, we would block the stairs up onto the -- onto the -- to the back patio.

MR. MCCABE: I think we have about 18 inches we would move it back without blocking the door.

ADAM CUMMINGS: I actually thought he was going a different way on it.

So is the shed width-wise 12 feet or 8 feet?

MR. MCCABE: Um, so if you're looking straight at the house, the 8 foot side would be the side facing you and the 12 foot side would be alongside of the garage.

ADAM CUMMINGS: That is where I thought you were going with it. 12 feet being wide, try to move it -- or try to rotate it to be the 8 feet so you're not 1 foot off it but more than 1 foot separating from it. That is where I thought you were going with it. It sounds like have you already addressed that and you pinched it as close as you can.

As Paul (Wanzenried) said, it's a more portable structure than a permanent, affixed, attached garage with that there. And then in separation, we're trying to really decipher between the parallel separation from -- from that garage. Okay.

PHILIP SUPERNAULT: Just a comment. I think aesthetically, um, that's -- but aesthetically, I think it looks better on that side. And aesthetically it would look probably better if it were pushed back. But I can understand the question.

MARK MERRY: Can you do me a favor? Can you indicate on this drawing where your garden is on the opposite side of the house? The raised bed.

MS. MCCABE: It's the one going this way, right?

MR. MCCABE: It goes from --

MS. MCCABE: You're out there every day. I will have you write it down.

MR. MCCABE: It is my garden. This is the big one. The 12 by 20 foot one. Then I have 42 by 7 -- 2 by 6 ones here. Again, not impossible, but...

MARK MERRY: Okay. Thanks.

I don't know if anyone else wants to take a look at that.

ADAM CUMMINGS: It is pretty much that whole south side.

JAMES WIESNER: How far is your garage off the property line? I don't see that dimension on here.

ADAM CUMMINGS: I'm seeing it from the front, is --

PAUL WANZENRIED: 17.9 feet.

ADAM CUMMINGS: -- from the front is 60 feet. From the side is 17.9 feet.

JAMES WIESNER: 17.9 feet off the side property line, the front of the garage you're saying?

MR. MCCABE: Basically if we went any farther away from the garage, we would be

seeking a different variance for less than 8 feet off the side.

ADAM CUMMINGS: Right. That is the dimension lines we're seeing there. 8.9 feet and then 8 feet which is the width of the shed and the 1 foot is the separation between the garage and the shed.

JAMES WIESNER: So it is 10 feet for the easement. So you're actually .1 feet --

MS. MCCABE: Uh-huh.

JAMES WIESNER: -- into the easement anyway.

PAUL WANZENRIED: With an easement release from the Town.

JAMES WIESNER: They have already been given that?

PAUL WANZENRIED: They haven't. They will based on this approval.

JAMES WIESNER: For that matter, why not center it away from the garage to make it look better? That is just my opinion.

ADAM CUMMINGS: You're saying moving it further away from the garage?

JAMES WIESNER: Yes. Basically trying to center it. Do they have to be --

ADAM CUMMINGS: They can only move over .9 feet further to the property line. If they go further, they will be here for a variance from the side setback.

ERIC STOWE: It's the minimum intrusion into our easement, too. Right? We're -- getting it closer to the house is less of an infringement on the easement and allows more work to be done by the Town.

JAMES WIESNER: 1 foot, you're not even going to be able to walk through there. You won't be able to slide your body. You will be able to look in there, a little alley. That's it.

MARK MERRY: I can make it.

JAMES WIESNER: You think you can? I'm betting you not. I would bet a lot of money on that. (Laughter.)

So it has to be 8 feet from the garage and 8 feet from the property line?

ADAM CUMMINGS: Yes.

JAMES WIESNER: So that --

ADAM CUMMINGS: But that is not possible.

JAMES WIESNER: There is no -- they don't win in anyway here.

ADAM CUMMINGS: Correct. So the chosen route they're applying for here is to pinch it in closer that way instead of closer to the neighbors and closer to the setback. And further into the easement.

JAMES WIESNER: It is just my opinion that 1 foot is just too little.

ADAM CUMMINGS: But it is also on a gravel driveway. So it is not like you're going to be doing too much.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Fred Trott made a motion to close the Public Hearing portion of this application, and Philip Supernault seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: One condition of approval is that you will have to get a building permit. In accordance with our code, they have to get an easement --

PAUL WANZENRIED: Actually, they won't need a building permit.

ADAM CUMMINGS: You're right. It's a shed. It's smaller.

PAUL WANZENRIED: What they will need is an easement release, so make that the condition, please.

ADAM CUMMINGS: Yep. So an easement release must be obtained from the Town.

ERIC STOWE: Just to clarify, we don't release the easement. It is more of a license for that to remain.

ADAM CUMMINGS: Got you. Easement.

PAUL WANZENRIED: Semantics.

ADAM CUMMINGS: Paperwork. See Eric Stowe. (Laughter.)

FRED TROTT: Got to earn his pay.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type II Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

Philip Supernault made a motion to approve the application with one condition, and Fred Trott seconded the motion. All Board members were in favor of the motion.

DECISION: Approved by a vote of 4 yes to 1 no (James Wiesner) with the following condition:

1. Easement relief approval paperwork must be received from the Town.

The following finding of fact was cited:

1. There is no reasonable location available on the site for this structure due to significant ground surface slopes in the rear portions.
4. Application of Francine Roveda owner; 416 Fisher Road, Rochester, New York 14624 for a variance to A.) Erect a structure (shed) 304 sq. ft. (192 sq. ft. proposed & 112 sq. ft. existing) B.) Erect a structure (shed) 4' from open deck attached to house (18' allowed) at property located at 416 Fisher Road in R-1-12 District.

Postponed until next month at the applicant's request.

5. Application of Daniel Mayer owner; 140 Fenton Road, Rochester, New York 14624 for a variance to erect a structure (detached garage) 1440 sq. ft. (1200 sq. ft. allowed) at property located at 140 Fenton Road in R-1-12 District.

Daniel Mayer was present to represent the application.

MR. MAYER: Hi. I'm Dan Mayer, 140 Fenton Road.

I'm here because I want to replace my existing barn that is currently 30 by 45 with a garage that is going to be 30 by 48.

JAMES WIESNER: So it is actually going in pretty much the same exact spot then?

MR. MAYER: Correct. 3 feet longer.

JAMES WIESNER: Only question I have.

FRED TROTT: And the barn is? Do you have -- is that that much an issue that it can't be repaired?

MR. MAYER: Well, it is an okay barn built in the '40s, post and beams with a lot of posts in the way. Three separate levels for floors. And unless I had a sheep farm like the barn was intended for, it's -- I only have like the middle of the barn is usable and it is a wood floor. I want to put up something with a concrete floor I can actually use.

FRED TROTT: What do you plan on doing with the barn? I mean the -- the garage?

MR. MAYER: The garage is going to be to store cars, boats, tractors, four-wheelers, everything that you put in a regular garage.

FRED TROTT: No other questions.

PHILIP SUPERNALUT: No questions.

ERIC STOWE: Just a disclosure that my office has done work for Mr. McCabe and Ms. Boychuk previously, but I have not had anything to do with this application.

PAUL WANZENRIED: Phil (Supernault), you're not going to ask if there is any historical reference to this? Come on. I'm disappointed.

PHILIP SUPERNALUT: I'm hoping they did their work.

FRED TROTT: 1940.

PHILIP SUPERNALUT: I mean obviously it is historic.

PAUL WANZENRIED: Before you tear it down, Dan (Mayer), call me. We'll have to let Pete Widener know so he can come out and take pictures of it if there's some sort of historical significance. I will research that with him. If you would, please.

PHILIP SUPERNALUT: I'm former Chair of the Chili Historic Preservation Board. Because you haven't had it registered in any way, you -- you have a right to do with it what you wish. But it would be great if we could get some pictures of it. That is why he is asking Pete (Widener). Pete (Widener) is the Historian.

MR. MAYER: It is not going to be destroyed. I have somebody that wants to purchase it, disassemble and repurpose it --

JAMES WIESNER: A lot of people make furniture out of them, the old post and beams.

MR. MAYER: They're going to make a great room for a house that they're building.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Philip Supernault made a motion to close the Public Hearing portion of this application, and Mark Merry seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: One condition of approval is you will need to get a building permit from the Town, so continue to work with Paul (Wanzenried) on that one. I think that is it.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be a Type II Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

James Wiesner made a motion to approve the application with one condition, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 5 yes with the following condition:

1. Building permit is required prior to commencement of construction.

The following finding of fact was cited:

1. The proposed structure is slightly larger than an existing structure that has existed at the same location for more than 20 years.
6. Application of Clifton Fire Department owner; 53 Wheatland Center Road, Churchville, New York 14428 for a variance to erect a monument sign A.) Not permitted per zoning district B.) 7' from front yard setback (15' req.) C.) 7'-4" tall (5'-0" allowed) D.) Area of sign to be 38 sq. ft. per side totaling 74 sq. ft. (16 sq. ft. per side total 32 sq. ft. allowed) E.) Internal LED illuminated (externally illuminated req.) at property located at 53 Wheatland Center Road in RA-1 District.

Matt Emens and George Emens were present to represent the application.

ADAM CUMMINGS: I think we're going to be doing these individually. That is my take.

MARK MERRY: Do you think we can get this done before midnight?

MR. MATT EMENS: It's a good goal.

ADAM CUMMINGS: I will have to change the date on it so we'll have the date carried over until tomorrow. But we'll try.

I did have one question. Paul (Wanzenried), if it is 38 square feet per side and there are two sides, wouldn't that be 76 square feet?

PAUL WANZENRIED: Well, you would think. Yep.

Matt (Emens), what you got up there, 38 per side?

MR. MATT EMENS: Checking.

PAUL WANZENRIED: I can do -- 74 divided by 2 is 37.

MR. MATT EMENS: Um --

ADAM CUMMINGS: He is shrinking it down a little bit.

MR. MATT EMENS: Bear with me one more second. Well, we've got conflicting application. My portion of the application I wrote 38 square feet per side. But your denial letter does say --

PAUL WANZENRIED: I wrote it as 74.

MR. MATT EMENS: -- 38 and 74.

ADAM CUMMINGS: I have one last clarifying. For the calculations, you guys are just doing LED. What about the portion that says "Clifton Fire Department, Incorporated"?

MR. MATT EMENS: That calc is on the whole thing.

ADAM CUMMINGS: I'm seeing 3 foot 2 inches by 8 foot 4 inches and then 1 foot 4 inches, so the 3 foot 2 inches matches your -- never mind. Not square feet. I'm just --

MR. MATT EMENS: Numbers, yeah, I know.

ADAM CUMMINGS: Never mind. Okay.

MR. MATT EMENS: So it is the 38 per side.

ADAM CUMMINGS: All right. Counsel, can we count that as being a typo?

ERIC STOWE: To go larger?

MR. MATT EMENS: If it didn't have the 38, I could see the issue, but it has 38 both sides.

PAUL WANZENRIED: But you could make it 37.

ADAM CUMMINGS: We can make it 37 square feet and meet what was posted.

MR. MATT EMENS: We're -- let do this. Let's get -- let me do the presentation.

ADAM CUMMINGS: Perfect.

MR. MATT EMENS: I think what you're going to hear is we're going to try to make that smaller anyways. So 37, 38.

ADAM CUMMINGS: Okay. Well, let's go --

MR. MATT EMENS: If that works.

ADAM CUMMINGS: I will do different decision sheets for each of these with separate votes.

Go right ahead, Matt (Emens).

MR. MATT EMENS: Great. Thank you. Matt Emens, Clifton Fire Department, 53 Wheatland Center Road. Technically Churchville 14428, but we still like to say "Clifton," 14428.

Also with me this evening is George Emens, President of the Clifton Fire Department -- also playing the role of my father for the last 44 1/2 years -- who does not have a speaking role tonight.

MARK MERRY: Our condolences (Laughter.)

MR. MATT EMENS: First thing, I want to run through a timeline of any events to get everybody up to speed so we know where we have been and where we are tonight.

So the first -- the first part is the Clifton Fire Department Building and Site Management Committee is one of the committees that I'm on. So every year we have a review of projects that have either been on the boards or that have come up over the years and then what we do is we look at them, try to figure out due diligence, feasibility, a rough order magnitude of costs and then we try to figure out what that Committee thinks is -- what should be prioritized for the projects in a coming year.

Then we take it to the Board of Directors. We review it. They may or may not approve it.

Then we also have to take to it the floor -- the way our Fire Department works, we take it to the floor for approval and this project that we're talking about tonight, one portion of it -- but the entire project we're talking about tonight has been in the planning stages for over a decade and has been discussed on some level since the new firehouse was built back in 1991. It moved to that location. So it was reviewed and prioritized and moved forward this year with this to get it to a more detailed level from a planning process and then also approvals. So that is why we're here tonight.

So we did have a pre-meeting with Paul (Wanzenried) on the 10th of June to put this together. We actually got the rest of the paperwork together and the supporting documents you have got tonight for the zoning submission on the 23rd of June, for this meeting. We did attend the AAC meeting on 7/13, which, of course, as you guys may or may not recall, I presented to -- to two guys because I'm the third person that sits on that Committee. So those -- Robert (Latragna) and Jim (Ignatowski) listened to our application and gave some real basic comments, ones that we typically give as the AAC to anyone coming in that proposes a monument sign. We'll touch a little further bit more on those further on in the presentation.

But basically looking at the width of the piers and the proportions of them based on the thickness of the box sign. Right? So we'll come back to the sign discussion as we get into this a little more.

They did ask once it is finalized -- just like we always do at AAC -- Jim (Ignatowski) asked them to make sure we submit something to Paul (Wanzenried) and if we have go back before them, I will be more than happy to do it or we can submit it to them and get that formally taken care of and check that box.

The zoning sign, of course, was posted. You guys already noted you didn't have any issue, but we posted it on Saturday the 17th of July, so it has been up for the required amount of time.

Now, just into a quick project description, which is actually in the application itself. The -- we're looking to install a new landscape island at the front of our property to include our existing relocated flagpole and monument which is current -- like I said, currently sitting out front of the firehouse. If you went by or checked it out, you will see that. The new monument sign, which is pretty much everything we're talking about tonight, has to do with that piece of it. Landscaping, edging and also this is -- at some point in time will include a historical sign.

Tammy Canfield, who is a resident of Clifton, the Hamlet of Clifton is on the -- I believe she is on the board -- is that right, Phil (Supernault)?

PHILIP SUPERNAULT: Historic Preservation Board.

MR. MATT EMENS: So there is a sign as a part of the -- the Town --

MR. GEORGE EMENS: 100th.

MR. MATT EMENS: -- 100th. So the Town has been asked to -- so there is like a Clifton Hamlet sign. The Clifton Fire Department is unfortunately the only thing really left that is Clifton. So we were asked if we would be the site for that historical sign. So I don't really know the timing on that, but it is also going to be in our mind, part of this project.

ADAM CUMMINGS: And that's depicted on the site plan?

MR. MATT EMENS: So it is not depicted on there. Not -- we haven't figured it out yet. We need to get a little more information if there is any restriction on where the State requires it to be. If it has to be on their property, then obviously that will limit where we put it, but we'll roll with that when Tammy (Canfield) gets some more information and that becomes a little more detailed.

So as you guys know, um, a volunteer Fire Department providing emergency fire and EMS services, one of the most important things we have to do is communicate with the public and we do that in a lot of different ways.

Today with technology we do that with -- we try to do that with our website, which is a struggle to keep that up sometimes being a small volunteer Fire Department with 15 people that do everything. But we do have a vendor we work with, trying to keep those dates and important information updated and communicated.

I also am Chair of the new Social Media Committee policy that was started. Clifton is always late to everything. 2020 is when we thought we should start the Social Media Committee. We're actually going to be starting a Facebook page and getting some more of this information out there.

But one of the main things that this monument sign is important for is that communication to the public, right? So the way we're looking at it, there is four main topics or things that we're trying to communicate and that is our fund-raising events, one of the big ones. Our Ladies Auxiliary also has events. So we want to be able to communicate those to the public to increase attendance and familiarization with the Fire Department and getting involved.

Public safety -- public health safety emergency communications is probably the single biggest one here. Like health alerts. Let's say there is a pandemic. Maybe we would put up information for clinics, et cetera, et cetera. The typical types of communications you see come from County and FEMA and anything like that.

And then obviously we would use it for public relations and promotion. There is quite a few different things that the State has done over the last, I will say, decade alone where we talk about Recruit New York. So they actually try to have our open house coincide with that.

Any CFD accomplishment. Obviously -- and if there is anything else that makes sense to be putting up there. But really the main field that we're talking about, like I said, is that public health safety and emergency communications, right?

So with that all being said, now if we could just quickly go through the packet. Obviously you have seen the application itself. There -- I believe you have either three or five handouts. I honestly don't remember what I gave. The first one should be an aerial image, the Google map of the Clifford Fire Department and neighboring properties directly adjacent.

Then two drawings. One S1, partial site plan. That is actually showing the proposed location of the sign and -- and this work and the existing firehouse and other improvements, site improvement, property lines, et cetera.

Then there is a third item which is A1, which is a schematic drawing of the proposed monument sign. I will go back and say that again. Schematic drawing of the proposed monument sign. So you may actually have two sizes of that. Whether they're to scale or not, I don't know. They should be 11 by 17s possibly.

So the next one is -- let me just flip to this real quick. The next one is actually an additional handout that I would like to hand out. I have only got -- actually, you guys could share. And you guys can share. I will talk us through this real quick.

JAMES WIESNER: I have three S1s.

MR. MATT EMENS: Jim (Wiesner), you won.

ADAM CUMMINGS: I have one of each.

I have an 8 1/2 x 11 and then 11 by 17.

JAMES WIESNER: Two 8 1/2s by 11s and 11 by 17.

ADAM CUMMINGS: But S1 and A1?

JAMES WIESNER: No.

MARK MERRY: You have A1.

JAMES WIESNER: Behind it. I have everything right --

MR. MATT EMENS: I gave you two of those.

Okay? Everyone else has got those, though?

ADAM CUMMINGS: Yes.

MR. MATT EMENS: Okay. Perfect.

So the additional one that I passed out that you guys could just take a look at is four numbered photographs.

So one of the things that we did is -- we're big into mock-ups. We want to see how big it is, where it goes, how quickly can you see it when you're coming down the road. So we took a ride in a car. We walked. We tried to get eye level to see what it looked like coming from both directions.

So what you're seeing here in photograph 1 and 2 is coming from Morgan Road, heading into Town, right? The property is on the right. So you can kind of start to see number 1 is almost directly across from 46 Wheatland Center Road, and then number 2 is basically right as you get to our -- let's see. What is that? -- northernmost property line. Northeast property line. The edge of the wood lot you see on the site plan and on Google Maps.

Numbers 3 and 4 are obviously coming out of Town, heading towards Morgan Road. 3 is taken almost directly across from 63 Wheatland Center Road and then Number 4 is at the edge of the other side of the property that fronts Wheatland Center Road.

And in this image, it is shown at the -- the front of that sign, that message board sign, is the 7 feet off of the property line. So we did it at the 15 feet. We did it at the 7. And one of the reasons we're asking for that one, which is -- B, is when it is back further, it's -- it's a lot harder to see coming -- not coming from Town, but coming into Town. So that --

ADAM CUMMINGS: The tree line.

MR. MATT EMENS: Correct. It is heavily wooded right there. And actually the home that sits on that property, the driveway actually comes off on Morgan and the house is, I'm going to say, 50 or 60 elevational feet higher than the grade of our property. Significantly higher.

So a couple more things just to touch on with the images. The reasons we did that, we wanted to check for the size and proportion, like I said. So that sign that is there is our existing, older than me -- I don't know where the heck we got it -- you know, classic letter message board sign where we do the changeable copy, right? So that is obviously something that we bring out for the carnival. Specifically if you guys have been there, you have seen it.

Fred (Trott), I think you see it when you come out.

We put it in the front yard for a week and it sits out there. Hopefully the wind doesn't blow too hard and we lose all the letters. They're hard to replace in the year 2020 or whatever here. They're not easy to find. But anyways, that is the one we use now.

And just for reference, that's a little over 4 foot by 8 foot that sign right there. Just the message board. Not the arrow, not the wheels.

The other thing we did in this application, you can see a little bit better in probably photo number 4, we actually chopped it up, blocked it up and set it up higher to try to create the height to show where the top of the sign would be. A little off 4 or 6 inches to give us an idea what it looks like. We also wanted to do due diligence our own in checking the size proportion of it what does it look like? What size does it need to be? Where does it need to be located?

The other big thing for us is the visibility of pulling out for fire trucks. We have a long apron there, but when we're coming out and -- we have got the tree line on the left, but when you look right, you're usually pretty good because you can look way far back and see a good distance. We just wanted to make sure we weren't obstructing that, too, and creating an issue we wouldn't be aware of until it was too late. Right?

PHILIP SUPERNAULT: So that is 32 square feet on the side?

MR. MATT EMENS: Sorry?

PHILIP SUPERNAULT: The display area on that -- on mock-up is 32 square feet per side; is that right?

MR. MATT EMENS: Yep. That's correct.

So probably just a couple more things and then I guess you guys are probably ready to ask questions.

I left it in the car, but obviously when we went to see AAC, if you guys referenced the -- the A1 drawing, you will see the material which is basically -- a concrete masonry unit pier that has -- that matches the building. Right? It's a little faded. I tried to color match it before the AAC meeting, but at that distance, it's gray. It's a dark gray, not a light gray. It's going to look great.

It will have a precast cap on it that we have not picked out yet and it will also have the 53 on it per the code asking for the address. So that will be on there, on each side of the front pier.

And then on the pier on the back, um, you see a circle depicted there. Once again, we said it is schematic. Our idea is we have on the existing monument a -- an antique emblem that has been cast in bronze refurbished -- refurbished and refinished so we can put it back on the monument. We'll have two replicas of that and want to put it on either side of the pier in the back and the rear.

As we talked a little bit more about the sign, on A1, you see the top would be a fixed panel box light -- or box sign that won't actually have a light. I will take that back. It is a box sign that will have letters on either side. And once again, that is important to note, but I don't think we said it yet. But this is a double -- the 38 square feet, it is a double-sided sign, so it can be seen from both directions.

Obviously, the other item there, the 3 foot 2 by the 8 foot 4 that is schematically shown there would be the LED message center. That would be on both sides, two LED message centers that would have the same message on both sides and one of the things that we did -- we did look at a little bit, is once again, this is -- this is something we want to use for important communications. It is not for the weather and the time and the -- "Happy birthday, Matt (Emens)." It is going to be for very specific items that we have outlined here as a group that we think are important to communicate to the public.

And that being said, I think one last thing to say is that if we have to get to the point where -- on number -- or letter E -- sorry -- for the internally lit LED sign, we have talked just in generalities schematically with a vendor. I have not gone into great depth. Just like we wouldn't in the professional world. I'm not getting paid for this one. But that's -- the -- the point is, is that we want to make sure we know where we stand before our -- few people that are doing all of the work on this take everything to the next level or we commit to anything and make not only ourselves but our vendors do more work than we're going to need to.

So we would want to go back and refine that sign and obviously understand exactly what it is and finalize that before we got carried away.

That being said, I think this is the last point I wanted to make on the LED portion is we -- the Clifton Fire Department is -- is aware of some of the, I will say, restrictions or conditions you guys have put on other signs at public safety facilities that have requested these and we are more than pleased and would propose those for this. And also probably even change the time because we are in a residential neighborhood.

And that just jogged my memory. One more thing. So I didn't put it in here. We did informally reach out to neighbors touching on the street -- I shouldn't say "touching" -- but on the street side. I went door to door with packets. Knocked on a few doors. Obviously small town, residential neighborhood. That's A. Right? You don't want to upset anybody. We're not going anywhere as neighbors and we don't want them to go anywhere.

So we did talk with them. I don't have any letters of support. However, I think the fact that there is no one here yet -- knock on wood -- yelling and screaming, I think that is probably better than a vote or a letter. So that is just my opinion. So thank you.

JAMES WIESNER: A couple of questions, comments. I see Paul (Wanzenried) left the room. I don't see a sign application in here. There is usually a single sheet with the hours, illumination and all that stuff.

ADAM CUMMINGS: Yeah. Because we're only getting the area variance. Is Paul (Wanzenried) coming back?

ERIC STOWE: Yes. He was getting the Legion conditions.

ADAM CUMMINGS: Got it.

The Legion conditions, I remember. Those we went very strict on that, I believe. We even talked about illumination intensity.

MR. MATT EMENS: I have them here if you want them. These are the ones that -- based on these minutes that I have -- were given to the Chili Fire Department.

ADAM CUMMINGS: I believe so, yes.

MR. MATT EMENS: They came through. I think that is the most current information.

Jim (Wiesner), to your point -- and no, we -- to answer your question, we did not fill out a sign permit application yet. So -- so that information, I guess, would be what I will give you here. That is what I was saying.

So the sign light settings will be set at maximum of .3 foot candles at distance of 30 feet. Sign will be -- sign will only be one color. Here they say amber, which is what the Legion is. And I do know from my limited research on LED signs, when you go with monochrome, it's red or amber. I think red is a little too drastic and scary, so I think amber makes sense.

The next one is the sign will display static images only, no rotating, flashing, fading or

animations.

Restricted to one message per day except for conveying emergency alert messages. Which even if I wasn't standing here, I'm totally on board with. Makes a lot of sense.

Sign will not display pictures or live-action images.

And sign lighting will be off between the hours of 11 p.m. and 7 a.m. I did state in the application 10 p.m. I think that in a residential neighborhood -- I'm not awake at 11 o'clock. I don't care if they need to see something at 11 o'clock. In the hamlet, it's -- 10 is plenty late enough.

Those were the -- I think the only other one on here, Adam (Cummings), is a pretty easy one, is the sign permit must be obtained.

ADAM CUMMINGS: I had number 1, sign permit to be obtained. I was going to condition that, they but come for the variance before they applied. They can't do the application until they have the specifications of the sign they're bringing in.

Paul (Wanzenried), the question, while you were out, was a sign permit application packet. He would fill that out later. We're going to put it as a condition of approval they have to get a sign permit, must be obtained.

But you haven't received a signed application yet, correct?

PAUL WANZENRIED: No.

ADAM CUMMINGS: Okay.

JAMES WIESNER: The only thing I can see -- I'm glad you went around and talked to the neighbors obviously. My -- my -- my concern is changing a very quaint, rural, little hamlet by adding an LED-lit sign -- you did go around and talked to anybody -- there was no talk of like a petition to -- people that would gain support so we could see something like that, make sure that, you know, everybody was on board?

MR. MATT EMENS: If that was -- if that was something the Board wanted, I don't see why I couldn't get that. I think most people are going to the -- it is easy -- you know, we all -- we all, I guess, do things differently. But some people it is easier for them -- they saw me. They know me personally. I wasn't just a stranger. One of the good things about a small town. "Oh, Matt (Emens), I'm sure whatever you guys are doing is fine."

That was also a neighbor that has got 30-plus-year mature pine trees creating a giant buffer between their house and the firehouse. They're the ones honestly, Jim (Wiesner), I'm most worried about. They're the ones that would maybe see any ambient light and have any issues.

JAMES WIESNER: You don't have somebody right across the street.

MR. MATT EMENS: Yeah. The thing with that is, if the sign was rotated 90 degrees like you see in front of schools sometimes or older message board setups where they're -- the landscape facing --

ADAM CUMMINGS: And single side.

MR. MATT EMENS: Single side.

What happens then, it is literally facing their house. Like a TV glaring, coming in the house. Whereas, this is at 90 degrees. The pier is facing them. It is almost directly across from their front windows. So I'm not going to lie to you, we didn't plan that. It -- it just worked out that way.

JAMES WIESNER: That's fine. That is really my only concern with the application. Such a quaint, little hamlet. You would hate to have it -- the sign impact it at all.

MR. MATT EMENS: Agreed.

JAMES WIESNER: You actually have open space, like you said, with the trees coming from the north. That could get developed some day, for that matter and you would get new neighbors, too, as well.

MR. MATT EMENS: The creek goes right through there. The house that is on that is that one I was saying is way up high on the -- on the -- oh, gosh what is that? The northwest side of that property that fronts Morgan. Morgan Hill basically. Well, the other Morgan Hill.

FRED TROTT: Well, not that I'm ever in favor of an LED sign, but there goes my opinion on that. I do agree with Jim (Wiesner). I think it kind of hurts the ambience of the neighborhood and the small town and I hope you really think about that before you move forward on it.

But, you know, everything else looks -- is fine. I know -- we were just talking about --

ADAM CUMMINGS: I am kind of opening it up to being all of them at this point.

MR. MATT EMENS: And, Fred (Trott), to your point, a couple of things. It plays into three of them, which would be the size, the height and the fact it is LED. You know, the old "you can't see it from my house" doesn't work for me on this one. You can, right?

And I have been a -- well, I guess I have been a member of the Fire Department since 1999. I have been in the Fire Department since before I was born, right? But this is a personal project. This is like -- this is my other house, right? So I'm very cognizant of that. These are neighbors of mine that are people that I have grown up with, that have made their home -- their kids have made their homes in this hamlet and I'm fully on board and not going to do anything to piss all those people off. Pardon my French.

FRED TROTT: You know, the neighbors said, "Oh, I'm sure whatever you do is going to be fine." When they wake up and --

MR. MATT EMENS: But -- no. Fred (Trott), trust me. I get it.

FRED TROTT: That's my personal opinion of the -- you know, I agree with Jim (Wiesner). It's a beautiful, quaint little hamlet. To have that glaring as you come around the corner, you know, and -- I don't know how many events you have -- small town, everybody knows what is going on. I guess I don't -- I don't see the need for it, but I understand the aspect

of it.

MR. MATT EMENS: Appreciate your opinion.

We -- like I said, we have gone back and forth on this a lot. The reason we have gone back and forth is we had to prioritize other things that -- that are part of our emergency response. Like we needed a fire truck. We needed a -- whatever. You know, EMS equipment. Radios is the big thing with the County. You know that, right?

So anyways, we're fortunate enough to have good planning and we've been working on this for awhile.

I think the thing with the LED is is that when we talked about this ten years ago, it wasn't LED. It was another message point. It was the panel closed thing, you lock it and get more letters and put it up.

We have an aging volunteer group. I am one of the youngest guys in there, right? At 44. It's tough to get people to join. It's all of us doing the same things. I'm trying to make -- we're trying to make things easier on the members, too, so we don't ask them to do more things. So if I can literally type up a message that will get dropped on Facebook that I then can pop over into the sign app and I'm sitting at home on my smartphone or iPad or laptop at work, it is just one less thing I have to go down to the firehouse and do on whatever night of the week it is.

MARK MERRY: So if we're opening these up to the whole -- all five --

FRED TROTT: We'll just vote separately.

MARK MERRY: I do have a couple questions.

So, Matt (Emens), you made reference to it early on that there may be a way to minimize this.

MR. MATT EMENS: Yep.

MARK MERRY: Can you share your thoughts on it so I'm not guessing?

MR. MATT EMENS: Absolutely. I'm sorry. I kept going around and got up trying to respond to Fred (Trott) there and got a little personal.

So one of the things we're talking about that I want to do is we obviously want to look -- from a cost mitigation standpoint and from an impact standpoint of -- of a permanent sign going -- monument sign going up. So I think -- if -- if I know we're going to get to permit a sign in this residential zoning district and I'm not spinning my wheels and the vendor's wheels and we'll get these things through, my goal is to take that size down and work with the vendor to tweak it. Is it going to go down -- it is not going to get halved. Right? But is it going to go down a foot or foot and a half in length and 8 to 12 inches in height? Maybe. That's kind of my goal. I need to get with the sign vendor and literally try to lay this thing out.

The concern with the piers obviously is if they get tall, I don't want them to look squatty and weird, too, from a proportion standpoint.

MARK MERRY: If that is the case, that is the intent, are we just really voting on the first --

ADAM CUMMINGS: No. We're still voting on the whole thing, but he is allowed up to the square footage amounts that we're --

FRED TROTT: He can be under, but he can't be over?

ADAM CUMMINGS: Correct.

MARK MERRY: So I'm thinking about --

ADAM CUMMINGS: What you're saying is we can minimize this down to what we think is a fair minimization so he doesn't -- we don't want him to have to come back.

MARK MERRY: Right.

ADAM CUMMINGS: At the same time we don't want it to be the largest option; is that what you're saying? And what you're saying -- right now we have automatically reduced it down to 74 square feet. So we started that process.

So -- but I do agree with the ratio and it is kind of nice that this is only 15 feet or 7 feet -- not 15 feet -- 7 feet from it. So that aspect ratio can be brought down to some extent because we're not far away. And then it is a slow-moving street, so people's perception doesn't have to be as apparent as a --

MARK MERRY: Right. I understand the concerns of Jim (Wiesner) and Fred (Trott) and honestly, not being as familiar with the area as these two fine gentlemen in this area, I just don't know if you all are looking to minimize it tonight. And not have potential for this big, honking modern sign in this little sleepy hamlet that you call it. Right? Because if you approve everything as it is stated right now, you could have --

ADAM CUMMINGS: That size sign --

MARK MERRY: -- that "We're keeping up with the Jones'" LED sign in that area. So...

ADAM CUMMINGS: The square footage is not just the LED. It is the whole sign.

MARK MERRY: Right.

FRED TROTT: What did we approve for the Chili main one?

ADAM CUMMINGS: I don't remember the dimension, but I think this one would be more comparable to the American Legion.

MR. MATT EMENS: The Chili one is smaller. The Legion is probably closer to this. That is true. I don't know the exact size of the Legion one.

ADAM CUMMINGS: Paul (Wanzenried) may, because I think he grabbed the file.

A couple of points I would like to make of LED signs that I have seen. Besides the changeable font. This is a pretty dark street when you go down. Not having a lot of streetlights, this does provide a safety element if it were on to provide some way-finding to let people know that, "Hey, here is a fire station." So they have an entry point to go to.

You can minimize glare to the neighboring properties. I grew up in quaint, rural areas. I understand hamlets and everything. But at the same time, when you're in a hamlet, there is a nice aspect of having streetlights for other people who venture into that hamlet that you may not want there and give them that community safety element.

The other part is, as Matt (Emens) mentioned, this is perpendicular to the road, so most of it will be shining east and west, which is a tree line and tree line.

FRED TROTT: North and south.

JAMES WIESNER: North and south, right?

PAUL WANZENRIED: East and west.

ADAM CUMMINGS: East and west. It sits north and south, so the views will be east and west.

FRED TROTT: I did this over the weekend, too.

ADAM CUMMINGS: Here is the north.

MR. MATT EMENS: It's --

ADAM CUMMINGS: It's east and west facing.

JAMES WIESNER: Would never guess it was north.

ADAM CUMMINGS: It has an N.

FRED TROTT: I'm with you, Jim (Wiesner). I think they messed up the N.

ADAM CUMMINGS: This is the apparent N. If you want to go off a different one (Laughter.)

Paul (Wanzenried), did you happen to have the file on the American Legion?

PAUL WANZENRIED: The American Legion -- I can tell you what the Legion was.

ADAM CUMMINGS: We're wondering what the dimensions were for that sign.

PAUL WANZENRIED: The Legion was a variance to erect a 7 foot by 4 foot double-faced freestanding sign not to be -- and to be 56 square feet total. So that was a variance for that one. I don't have the dimensions on the fire hall's sign.

MR. MATT EMENS: Chili was smaller.

ADAM CUMMINGS: Yep.

FRED TROTT: It is important to note their speed limit is 30 through here, versus the Legion, which was 40 or 55.

PAUL WANZENRIED: 55.

MR. MATT EMENS: 55.

FRED TROTT: That was the reasoning for the size of theirs. The Legion's is also about 3 feet lower than the road.

MR. MATT EMENS: They had some elevational challenges. They also have -- well, they have placement-off-the-road issues because of the elevation, too.

ADAM CUMMINGS: Right. And we also limited intensity on that because of the unshielded neighbor across the street.

PAUL WANZENRIED: I think you limited intensity on every one.

ADAM CUMMINGS: Yes.

PAUL WANZENRIED: Regardless where it is.

ADAM CUMMINGS: I think they went with red at the -- at the Chili Fire Station, but it is amber at the Legion.

MARK MERRY: So is the preference -- Fellow Board Members, is the preference to go with the size of the Chili Fire Department?

FRED TROTT: I would like to see it smaller.

ADAM CUMMINGS: How much smaller?

FRED TROTT: Well, isn't that -- we're not supposed to say that?

ADAM CUMMINGS: No. We can -- we can propose a minimization of things and then they can say if they can acquiesce or accommodate that.

JAMES WIESNER: I don't have a preference. I really don't.

PAUL WANZENRIED: Is there a cost involved to talk with a vendor --

MR. MATT EMENS: No.

PAUL WANZENRIED: And get mock-ups of a size?

MR. MATT EMENS: Yes. I have two proposals on how to proceed.

ADAM CUMMINGS: Okay. Let's hear them.

MR. MATT EMENS: The first one would be I can tell you what I think we can get to for the square footage by side. And then the height. Which I think is what we're talking about. I think we can get it a foot shorter and -- and a foot narrower -- shorter. I'm sorry. Take the 7 foot down a foot.

ADAM CUMMINGS: To 6 foot, 4-inch.

MR. MATT EMENS: Yep.

And then I think we can get it to -- with that, I could get 8 inches, 8 to 10 inches out of the -- the height of the sign and a foot out of the length. So...

ADAM CUMMINGS: That foot would be out of the -- pretty much the LED and the hard sign portion.

MR. MATT EMENS: Both.

ADAM CUMMINGS: The piers would stay where they are and you're taking the internal --

MR. MATT EMENS: The only thing in my mind, my architectural brain, is -- that is driving the size of the piers is the width of the box of the sign. And I think the box of that sign with the two LED message centers back to back is going to be 20 inches. So I don't want to go to

20 inches, because it is going to look goofy.

ADAM CUMMINGS: Got you.

MR. MATT EMENS: So -- but I don't know that for sure. Until I tell them what size I want, he can't tell me how deep it is.

ADAM CUMMINGS: You're saying 20 inches in terms of the width of the piers? They're 24 right now. You're saying you don't want to go smaller than 20?

MR. MATT EMENS: No. I'm saying the only way I would change the -- the height of the piers I would change. We would change that with the height of the sign. But I'm not ready to change the -- the dimension of the pier.

ADAM CUMMINGS: The footprint. The width.

MR. MATT EMENS: Thank you. Yes. The 2 foot by 2 foot pier, I'm not ready to change that.

ADAM CUMMINGS: But when you're shrinking the length down, that will be the LED -- the rectangle on the inside where it says "Clifton Fire Department, Incorporated," the LED is getting squashed.

MR. MATT EMENS: That's correct. So it is 7 foot 4 instead of 8 foot 4 and it's -- why am I guessing? Why am I not looking at this? If I'm going to agree to this, I better check on the map here.

ADAM CUMMINGS: I'm not positive how this all gets calculated.

MR. MATT EMENS: I think I rounded around. I don't know. I may have dimensioned the drawing after I put it in the thing, to be really honest. So if that 8 foot 4 goes to 7 foot 4 --

ADAM CUMMINGS: The 7 foot 4 height goes to 6 foot 4 --

MR. MATT EMENS: Let me do it this way. Can I take -- 4 foot 6. I don't know how much height I can take out.

MARK MERRY: So again, let me pose it to the Fellow Board members. Is the size of the sign what you're concerned about or the illuminated?

ADAM CUMMINGS: I'm not concerned with either one of them, to be honest.

PHILIP SUPERNAULT: I haven't -- can I make some observations?

ADAM CUMMINGS: Certainly.

PHILIP SUPERNAULT: I drive by a lot. In fact, I love driving through and taking the other way because I like winding through Clifton. I drove by today and I'm thinking, "Gees, they need a new sign."

I saw your sign out there. And I -- you know, I'm thinking, "It doesn't bother me a bit."

So I have no concerns. Having worked with Cliftonites on my previous Board, you're pretty proud of your area from what I can gather and you're pretty protective. There is nobody here tonight complaining. And I'm sure just about everybody who lives in Clifton has driven by and seen that sign posted. So I'm thinking if anybody had a real beef and didn't trust you guys, they would be here tonight saying something. And they're not.

And also -- I'm sure there are some standards, but if you're going to put a sign up, you want to make sure it is going to serve your purposes. So, you know, why shrink it if it -- I have confidence in you. I'm not concerned.

And also, I know there is a whole bunch of people who live in Clifton who use LEDs. You know. They're not afraid of that lighting. They use it in their homes all of the time. And an -- the LEDs of today aren't the crazy, white flashing things that we're used to. I'm sure that you will use your discretion there. So I don't have any problems. I -- in fact, I welcome the addition. I think it will work for you guys.

And I also do believe that, as I said before, we're dealing with Chili and I think it is necessary for emergency services to have that kind of presence and to be able to be flexible. Especially these days when there is all kinds of stuff going on. I think the flexibility of being able to go to a site and put a message on a sign is huge. I think every emergency department service should be doing -- should have that. So I'm in favor. It is not a question, but since we're kind of expressing our views.

MR. MATT EMENS: Thank you.

ADAM CUMMINGS: I will jump in on a couple of them.

With the height, if we're restricting this down, you don't have any issues or concerns with snow drifting where you're squatting it down too much?

MR. MATT EMENS: We looked at that, too, with the placement of it because we know our snow storage is on the other side of the parking lot. What happens is if we get a lot of snow, it gets stored on the other side.

So now what we'll be telling our vendor is they can't store it in that whatever 40 feet of the front leg of that driveway. It will have to be back there. We do have some years where we have actually paid them to truck it to the back of our property. I mean -- knock on wood -- we haven't had that in a long time.

ADAM CUMMINGS: You're far enough off the road I will not see that as a snowplowing issue with the wing or anything.

MR. MATT EMENS: They haven't got a full head of steam yet.

ADAM CUMMINGS: You're pretty tough coming off the north there to try to get it. It will be a new game for those drivers. (Laughter.)

The other one I was going to say, the square footage is what we're talking about right now. So putting a number to it, we're at 74 square feet right now, I will call it. 32 is what is allowed. If -- if we put a number to it, say 60 square feet, that is 30 square feet on each side -- is that the ballpark you're in?

MR. MATT EMENS: Yeah. Because I know I can get a foot out of it because of the standard size of the LED boards. But -- but once you start to go lower than 3 feet, they get custom, I think, and the top part. So that would be 4 foot by 7 foot 4. Actually gives me a little bit more than that with the 30 square feet on each side. I'm almost positive I could make that work, Adam (Cummings).

And consequently --

ADAM CUMMINGS: And the address number on each side? That would be counted in the square footage, right, Paul (Wanzenried)? The address numbers, the street numbers?

PAUL WANZENRIED: No.

ADAM CUMMINGS: No, they're not counted in the square footage?

MR. MATT EMENS: They're just stand alone, 8-inch high anodized.

PAUL WANZENRIED: They're required.

ADAM CUMMINGS: I know they're required, but I think at one point in time the Town was including them in the calculations.

PAUL WANZENRIED: I don't think so.

MR. MATT EMENS: I would agree if it is part of the sign, but it is actually part of the element that holds the sign. We only have one attorney in the room.

ADAM CUMMINGS: The reason I'm pointing it out is we had to do it on the church monument signs there, the 252 and the Chili Ave. I -- I am just asking if that would drive the square footage calculation seeing that shield or the decoration you're putting over there, we view that it as artwork and not part of it.

MR. MATT EMENS: We did not understand that to be part of it. Hope it isn't.

ADAM CUMMINGS: I agree. I don't believe it is. It counts as artwork. So we're in the middle part.

MR. MATT EMENS: So then consequently, I don't know what the height difference is going to be, but I'm going to bring it down, too. I just don't know what that is right now.

ADAM CUMMINGS: So the height one, we're taking it from 7 feet 4 inches. Would you be comfortable with us bringing it down to 6 foot 6 inches?

MR. MATT EMENS: I don't know what that cap looks like yet.

ADAM CUMMINGS: Okay.

MR. MATT EMENS: And my whole -- Adam (Cummings), but to your point about the bed, I need the bed to be up a little bit for drainage, but not a lot. If you guys went to check it out, it is very, very flat in the front yard. So I would go to -- go to --

FRED TROTT: You want to table it and let him speak with his sign people?

MR. MATT EMENS: I will do it at 7 feet. I will try to make it better. You know, the -- there -- 30 square feet, I think, is very reasonable on each side.

ADAM CUMMINGS: Before we ask that, let's see how we get through these things here. So that would be 60 feet total. The question that was posed is -- would it be -- is it driving your schedule enough to go one more month to gather more information to go to your sign vendor to grab more -- I understand where you're coming from. You don't want invest more --

MR. MATT EMENS: I think to Fred (Trott)'s point, the other option is that we could approve three of the five tonight if you guys were comfortable or you could vote on the three of the five tonight, hoping for approval.

I'm -- I guess then the other way we could do it, if we don't want to do the math and have everybody agree to something and vote on it, if we're more comfortable, Fred (Trott), coming back with a finished design from a sign vendor with actual dimensions on it, um, we could come back for D -- C and D.

Or we go with your original idea. I want the Board to be comfortable. I don't want people voting -- I want people to have the information they need to make the decision and feel comfortable voting.

ADAM CUMMINGS: I'm getting a feeling from the Board that we would like to have more information for the complete application. It's not time is of the essence, as far as I'm gathering from you, to give one more month and I would rather not piecemeal this with a couple of them here and then do others later.

MR. MATT EMENS: Okay. What I'm saying is if -- if I'm going back to the Fire Department and we're -- I'm going to start talking to vendors and I'm going to keep moving this thing forward, I want to know that I'm going to be okay to put a sign up in the neighborhood. Because if I'm not, I'm not doing any of this.

ADAM CUMMINGS: I'm following you.

MR. MATT EMENS: So same thing with the LED portion of it. I don't need to call a sign vendor and ask him about LED sign if I'm not going to be able --

MARK MERRY: Well, back to your earlier statement, in all fairness, if Matt (Emens) is willing to say here -- here is the ceiling on height and width, my opinion would be -- again, catching what Phil (Supernault) is saying, there's a trust factor. There is a trust factor he is going to meet that and that he understands what he needs to do. We have those restrictions in place that we can impose.

Instead of making him come back to another -- I think we -- I don't think he is coming back unless he knows we're going to agree. I think you have heard enough, I would guess, from the Board on what you need to do.

MR. MATT EMENS: Yes.

ADAM CUMMINGS: I think --

MARK MERRY: To be fair.

ADAM CUMMINGS: I think they're fair. Right now we have reduced the height from 7 feet 4 inches to 7 feet.

And correct me if I am wrong, we have reduced the area to 60 square feet total? And you feel comfortable with those numbers?

MR. MATT EMENS: Yes.

ADAM CUMMINGS: Okay.

PAUL WANZENRIED: Yeah, but -- but the reality is all he really needs is A. Let him put it in a Residential District and then he knows he is getting it. And then figure out how big after. Then he goes to his vendors.

ADAM CUMMINGS: But he needs the LED.

MR. MATT EMENS: Paul (Wanzenried), I want A.

JAMES WIESNER: Table the dimensional aspects of it. Have a ruling on what he is allowed to do.

ADAM CUMMINGS: Yeah. We can just do A -- we can -- we haven't done that before. We could -- because we are separating them. We could do A and --

MARK MERRY: So, Matt (Emens), what you're looking for tonight. Give me that and you don't mind coming back next month.

MR. MATT EMENS: So I'm -- here is what I'm saying, and I'm going to appeal specifically to Fred (Trott) because Fred (Trott) said it. You want to see more detailed information from the sign vendor and more exact dimensions. And then we'll know where we really stand and then we are all on the same page. I'm fine with that.

The only thing I would ask for is I want to know -- I would like -- I would like a vote tonight on A, B and E and I will come back for C and D with that additional information.

ADAM CUMMINGS: The details of the sign design.

MR. MATT EMENS: Yep.

FRED TROTT: B being the height?

ADAM CUMMINGS: No. B being the set --

MR. MATT EMENS: Setback off the property line.

FRED TROTT: I don't have a problem with that.

ADAM CUMMINGS: In terms of that, he did say in his presentation if we move it further back because of the tree line --

FRED TROTT: No. The placement realistically is fine.

ADAM CUMMINGS: You don't want it farther back. You want it where he has got it.

FRED TROTT: My thing --

ADAM CUMMINGS: For --

FRED TROTT: For your area, the speed limit, I think it can be small so it is not impacting the neighborhood as much. I think -- I don't want to be the one -- "Who knew this was going to be that big? Did you know about this?" "Well..."

ADAM CUMMINGS: We are saying how big it is.

FRED TROTT: You know what I'm saying? It is large for that -- you know, we looked at speed limits.

ADAM CUMMINGS: It is smaller than the one he has now. It is smaller than that 4 foot by 8 foot.

MR. MATT EMENS: Listen. I'm fine with what Fred (Trott) is saying. I'm literally telling you on the public record and to your faces that that is my goal, too. So I'm very comfortable where we are right now. I appreciate it.

ADAM CUMMINGS: Okay. We'll go that way.

FRED TROTT: Is there a Clifton carnival?

MR. MATT EMENS: No. We had to set a deadline, Fred (Trott), before -- of making the decision based on like four critical checkboxes and then they literally changed everything two weeks later and it was just not enough time.

ADAM CUMMINGS: So we're going to do each of these individually. So -- but at the same time --

Eric (Stowe), can I do SEQR on all five?

ERIC STOWE: SEQR for the whole thing.

ADAM CUMMINGS: That's perfect. No segmentation.

And then once we get to it, C and D, we'll -- we'll be tabling it -- voting to table it until next month.

MR. MATT EMENS: And does that include the Public Hearing?

ERIC STOWE: But how are you are going to do SEQR and say it will not have an environmental impact and then say the lighting intensity is too much or the size is too big with no environmental impact?

ADAM CUMMINGS: That is why I'm struggling with segmenting this.

ERIC STOWE: Or inconsistent SEQR determination.

JAMES WIESNER: You want to table it ahead of time, before we even proceed?

ERIC STOWE: We have a counter --

ADAM CUMMINGS: The speaker asked us to vote on A, D and E.

ERIC STOWE: You're really segmenting it at that point.

ADAM CUMMINGS: Right.

MR. MATT EMENS: We can't vote on them separately?

PHILIP SUPERNAULT: Can he withdraw?

ERIC STOWE: Table. Not withdraw.

PHILIP SUPERNAULT: Can he --

FRED TROTT: He wants -- he wants more confirmation that it is going to -- is it worth it for him -- I don't blame you on that. I think -- could we give him a verbal?

ERIC STOWE: No.

PAUL WANZENRIED: No.

MR. MATT EMENS: Let's shake on it. (Laughter.)

ADAM CUMMINGS: But we -- no. There is no straw votes. But we are conflicted especially with the light intensity without having all that information here, unless we put the conditions on the restricted, but we're not talking about those here.

MR. MATT EMENS: So.

ADAM CUMMINGS: I guess we --

MR. MATT EMENS: So -- but I agree to those conditions no matter what size the sign is.

ADAM CUMMINGS: We could address the SEQR impacts. The size wouldn't make a difference.

ERIC STOWE: The size of the sign won't affect the amount of light being --

ADAM CUMMINGS: No. Because the intensity is the same whether it's 6 foot wide or 3 foot wide.

ERIC STOWE: I will defer to the engineers. In my mind, the bigger sign has more light.

PAUL WANZENRIED: It doesn't matter. The maximum of 3 foot candles. Whether it is 10 by 12 per side or 2 by 3 per side. That's -- they have -- one of the conditions is a certain density, light intensity.

ADAM CUMMINGS: No different than sound impacts. You do that from a distance and then it cuts in half as you move every 10 feet past it. It doesn't matter on that how big of a thing it is. It matters how far away you are. I guess I feel comfortable with it on the engineering side that we wouldn't be segmenting it because we have addressed the -- the visual aspects, the transportation aspect of it, the lighting aspect of it because -- are those conditions in our code now?

PAUL WANZENRIED: No.

ADAM CUMMINGS: Okay. Can I have a copy of that, Paul (Wanzenried)? They both should be the same. The only difference was the color.

Thank you, Eric (Stowe).

So we still have another 3 1/2 hours to wrap this up.

MARK MERRY: You thought I was kidding, didn't you?

ADAM CUMMINGS: I didn't know that. So in terms of SEQR, my opinion, we have to do it all and we have to discuss all of it. I don't have the SEQR form in front of me, but hopefully everybody is familiar with that Part II form that we're pretty much evaluating. We're obviously not worried -- worried about unique geologic features here tonight.

JAMES WIESNER: Don't they usually do that with the sign permit application, the SEQR?

ADAM CUMMINGS: No.

JAMES WIESNER: I thought we have done that before.

ADAM CUMMINGS: I believe because it was part of a site plan application and the site -- or the sign application just happened to be part of it.

Not a bad idea to start asking for it, though.

So the -- the conditions we have that you are familiar with, there are seven of them there.

You talked about the hours of operation or no sign lighting between 10 p.m. and 7 a.m. unless there is emergency public notifications?

MR. MATT EMENS: Correct.

ADAM CUMMINGS: So I would be in agreement with that. So the first one would be light settings at a minimum setting of .3 foot candles at a distance of 30 feet.

MR. MATT EMENS: Maximum.

PAUL WANZENRIED: Maximum.

ADAM CUMMINGS: Yeah. We wrote "minimum" in the old condition.

No rotating flashing fades, animation, et cetera, in the display. Static images only. No pictures or live-action images.

Street number we already have.

Amber tone bulb color.

Sign permit. That would be it. So that is actually five conditions.

Any other questions from the Board?

Eric (Stowe), you're in agreement we're doing SEQR on the whole thing?

ERIC STOWE: If you're comfortable from an engineering point that size will not impact the light, then you can.

ADAM CUMMINGS: Yep.

ERIC STOWE: You can vote and it is not segmenting -- if it is 100 square feet, it doesn't change -- or 100 by 100 -- if that doesn't change it, then it is not segmented.

ADAM CUMMINGS: And once again, the only thing that would change, which would need a totally different variance coming in, is if they wanted to exceed that foot candle at a distance of 30 feet, meaning they wanted to exceed that, that would reopen SEQR and it would need a new variance application.

ERIC STOWE: Correct.

ADAM CUMMINGS: Because it would be a significant change to the one we're granting tonight.

So now I will go ahead and open the Public Hearing.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Philip Supernault made a motion to close the Public Hearing portion of this application, and Fred Trott seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

ADAM CUMMINGS: So I guess one point of clarification, um, we are or are not -- or are not considering C and D tonight? Still confused on that. We're -- are not.

FRED TROTT: We are not.

ADAM CUMMINGS: Not that I'm trying to predetermine this one.

ERIC STOWE: You're requesting -- or the applicant -- excuse me -- it is my understanding is requesting that C and D be tabled until next month's meeting.

ADAM CUMMINGS: After gathering more information.

ERIC STOWE: Correct.

MR. MATT EMENS: So I will say that now?

ERIC STOWE: Yes.

MR. MATT EMENS: Mr. Chairman, I would like to request that we table items C and D. C, the 7 foot 4 tall and 5 foot allowed; and D, area of sign to be 38 square feet per side totaling 74 square feet with 16 feet per square side, total 32 square foot allowed, so that we have the opportunity to get more detailed drawings and work with the sign vendor to confirm the actual square footage.

ADAM CUMMINGS: All right. What I will do, I will still start announcing C and D, and we'll just do -- at least a vote of tabling -- accepting that tabling request just to have that marked down.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be an Unlisted Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

ADAM CUMMINGS: Now we'll move onto letter A, which is the -- it's not permitted per the zoning district.

Eric (Stowe), a question for you. These conditions, the six -- or the five conditions, should I put those for every one of them or just on one of them?

ERIC STOWE: It would be on every one of them.

ADAM CUMMINGS: Thank you.

So those six conditions will pertain to each of them as we consider them. So not permitted per zoning district with those five conditions that I mentioned earlier.

ERIC STOWE: Is it five or six?

ADAM CUMMINGS: Well, one of the ones was a sign permit must be obtained, so there is a total of five. There is the light settings and maximum setting of .3 foot candles at a distance of 30 feet.

No rotating, et cetera, on the sign display.

No sign lighting between 10 p.m. and 7 a.m. unless the public notification.

Amber tone bulb color.

And a sign permit.

ERIC STOWE: Is it public notification or public emergency?

ADAM CUMMINGS: Or public emergency notification is what I meant to say.

ERIC STOWE: Just important distinction.

ADAM CUMMINGS: Correct. Yes. Thank you. Public emergency notification.

The old conditions, there was a number 7 that said all other outstanding permits and inspections to be completed prior to construction. I never liked that condition before. So that is why I didn't mention it. That is Code Enforcement's job.

All right. So that does get us to five. All right.

So motion to adopt this application with those five conditions? Letter A, not permitted per zoning district.

Mark Merry made a motion to approve the application, Item A, with one condition, and Fred Trott seconded the motion. All Board members were in favor of the motion.

DECISION ON APPLICATION 6 ITEM A: Unanimously approved by a vote of 5 yes with the following condition:

1. Sign permit must be obtained.

The following finding of fact was cited:

1. Variance is minor in nature and will provide vital emergency notification and messaging to local residents.

ADAM CUMMINGS: Yes. All right. This one is B, 7 feet from the front yard setback. I'll ask for a motion to adopt this application.

Mark Merry made a motion to approve the application with conditions, and James Wiesner seconded the motion. All Board members were in favor of the motion.

DECISION ON APPLICATION 6 ITEM B: Unanimously approved by a vote of 5 yes with the following conditions:

1. Light settings at maximum setting of 0.3 foot candles at a distance of 30 feet.
2. No rotating, flashing, fades, animations, etc. in sign display. Static images only. No pictures or live-action images.
3. No sign lighting between the hours of 10:00 pm and 7:00 am.
4. Amber tone bulb color is the only color allowed.
5. Sign permit must be obtained.

The following finding of fact was cited:

1. Variance is minor in nature and will provide vital emergency notification and messaging to local residents.

ADAM CUMMINGS: Now, once again, this is letter C, which is the 7 feet 4 inches tall. The applicant has asked for that to be tabled until a future meeting to get more details of the design of the sign.

All of those in favor of tabling this to a future meeting?

The Board was unanimously in favor of the motion to table.

DECISION ON APPLICATION 6 ITEM C: Unanimously tabled by a vote of 5 yes to table at the applicant's request.

ADAM CUMMINGS: That has been tabled.

Letter D was the square footage to be 38 square feet. Um, with the -- with the applicant requesting it to be tabled until next month to get more details on the design of the sign.

The Board voted unanimously in favor to table Item D on the application.

DECISION ON APPLICATION 6 ITEM D: Unanimously tabled by a vote of 5 yes to table at the applicant's request.

ADAM CUMMINGS: That one is tabled until next month. All right. Letter E is the LED illumination.

Mark Merry made a motion to approve the application with conditions, and Philip Supernault seconded the motion. The vote on the motion was 4 yes to 1 no (James Wiesner).

DECISION ON APPLICATION 6 ITEM E: Approved by a vote of 4 yes to 1 no (James Wiesner) with the following conditions:

1. Light settings at maximum setting of 0.3 foot candles at a distance of 30 feet.
2. No rotating, flashing, fades, animations, etc. in sign display. Static images only. No pictures or live-action images.
3. No sign lighting between the hours of 10:00 pm and 7:00 am.
4. Amber tone bulb color is the only color allowed.
5. Sign permit must be obtained.

The following finding of fact was cited:

1. Similar signs have been approved in the Town and the location and orientation of this sign will not impact any of the neighboring properties.

ADAM CUMMINGS: So that is where we stand.

MR. MATT EMENS: Just to say out loud and -- it may take me a little while, the sign stuff, so it may be September.

ADAM CUMMINGS: That is why I said a future meeting instead of next month.

MR. MATT EMENS: Thank you very much, gentlemen and Sandy (Hewlett).

Mark Merry made a motion to accept and adopt the 6/29/21 Zoning Board of Appeals meeting minutes, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

Adam Cummings made a motion to adjourn the meeting, and Mark Merry seconded the motion. All Board members were in favor of the motion.

The meeting was adjourned at 8:31 p.m.