

TOWN OF LYSANDER
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that pursuant to Section 267-a(12)Town Law, a Public Hearing will be held by the Town of Lysander Zoning Board of Appeals on Monday, April 7, 2025 at 7:00 p.m. at the Town of Lysander Town Building, 8220 Loop Road, Baldwinsville, New York, for the purpose of considering the following:

The application of Charles Signs on behalf of 2347 West Genesee Holdings LLC for property located at 2347 West Genesee Road (Fireside By The River), Baldwinsville, New York, Tax Map No. 050.-02-22.1 to allow the placement of a Sign appealing the Decision of the Code Enforcement Officer, in accordance with Chapter 320, Article XX, Section 320-53, Paragraph B(2) following procedures outlined in Article XXIII, Section 320-66, Paragraph C and Article XXIII, Section 320-65, Paragraph C(2) if applicable, of the Lysander Town Ordinance.

Dated: March 13, 2025

Richard Jarvis, Chairman
Lysander Zoning Board of Appeals

NY Commendatio

TOWN OF LYSANDER

ZONING BOARD OF APPEALS

APPLICATION

Application Number 2025-004 Date 2-11-25 Fee TBD-

Type of Application

- Special Use Permit
- Permit for Temporary Structure/Occupancy (explain need on page 2)
- Extension of Permit for Temporary Structure/Occupancy (explain need on page 2)
- Appeal of Decision made by the Code Enforcement Officer
 - Area Variance (provide details on page 2)
 - Use Variance (use requested _____)
- Informal Interpretation (describe issue on page 2)

Other Possible SUP which requires a recommendation from Planning Board.

Applicable Sections of the Zoning Ordinance

Chapter 320, Article XX, Section 320-53
Paragraph B(2)

**Review by Onondaga County
Planning Board**

Required Not Required

**Review by Town of Lysander
Planning Board**

2 Required Not Required

Applicant

Name Charles Signs Inc.
Street Number 7856 Goguen Dr, Liverpool, NY 13090 Municipality Clay
State _____ Zip Code _____

Property

Street Number 2347 W Genesee Municipality Lysander
State NY Zip Code 13027
Tax Map Number 050.-02-22.1
Owner (if different than applicant)
Name 2347 W Genesee Rd Hold.LLC
Address 7630 Sturbridge Dr, Manlius, NY 13104

Zoning District Com 1 Overlay Control _____
Size of Property 1.82 acres
Existing Structures/Uses Conforming Nonconforming

Need and Description

For temporary permits, explain why a permit is needed. For area variances, attach a copy of a current survey and any drawings or plans - if reducing or enlarging documents that **do not** include a graphic representation of scale indicate the percentage of reduction or enlargement. Attach additional pages if necessary.

Area Variances *2*

- Residential
- Nonresidential
- Principal Structure
- Accessory Structure

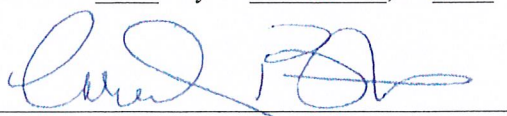
- Front Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Individual Side Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Lot Dimensions/Coverage/Floor Area
Type _____
Requirement _____
Variance Requested _____
- Rear Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Total Side Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Other
Type LED Message Center
Requirement _____
Variance Requested _____

Alternatives

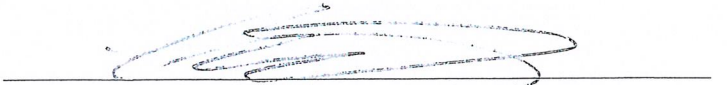
Explain in detail why the proposed action cannot be conducted where a variance would not be required, or where a smaller variance would be required (attach additional pages if necessary).


The marketing and business promotion capabilities of an LED message center are not at all comparable to a static sign.

Sworn this 11 day of Feb, 2025



Notary Public
CAROLYN PARNABA
Notary Public, State of New York
Qualified in Onondaga County
Reg. No. 01BA6110478 *28*
My Commission Expires 05/24/20


Applicant/Representative Signature



Owner/Representative Signature

both lines



Replace existing sign faces with new lexan faces, replace existing lighting with new LED lighting, supply new changeable letters for reader boards new faces and covers. Middle box face size is 78" x 24". V.O. 74" x 20".

36" x 96" Double-sided 6mm resolution full color Cirrus LED message center to replace existing pylon sign.

 <small>1231 Gopman Drive Liverpool, NY 13090 Phone: 315.462.5100 Fax: 315.462.5107</small>	CLIENT: Fireside Inn	DATE: 9-3-23	REVISED: 2-11-25	CLIENT APPROVED	LANDLORD APPROVED
	LOCATION:	DESIGNER: DC	REVISED:		
	FILE: FiresideInn/PylonSignBLED	DRAWING#:	SCALE:		

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Karen Rice

From: Karen Rice
Sent: Tuesday, March 4, 2025 12:03 PM
To: David Herkola; Amanda@ceriolawoffices.com
Cc: Tim Wolsey
Subject: FW: Sign Ordinance Appeal
Attachments: doc00330320250211131707.pdf

Dave...not sure if you've had the opportunity to respond to my email to Tim that he forwarded to you as I believe you were on vacation over Winter break; but if you could please let me know how to proceed that would be great. I have an agenda for the Planning Board that needed to be closed out yesterday and a Legal Notice to get published before a Public Hearing before the ZBA. Let me know if you need anything further to make your interpretation. Thanks! Karen

Karen Rice, Clerk to Planning, Zoning & Codes Town of Lysander
8220 Loop Road
Baldwinsville, NY 13027
Telephone: (315)638-4819
Email: planning@townoflysander.org
Website: www.townoflysander.org

-----Original Message-----

From: Karen Rice
Sent: Tuesday, February 11, 2025 1:46 PM
To: Tim Wolsey <zoning@townoflysander.org>
Subject: Sign Ordinance Appeal

Tim...we need a couple of things before sending this to the ZBA to appeal the Sign Ordinance...you have to review the application and deny it because the Code doesn't allow for "flashing, revolving, animated or otherwise in motion"; that's the easy part. The second thing we need is to determine what this request actually is. It's not an Area or Use Variance so that basically leaves that a Special Use Permit. If that's the case it has to go to the Planning Board for a recommendation prior to holding a Public Hearing with the ZBA. At first I was thinking it would fall under Other on the ZBA application form and the applicant was seeking relief on that specific language (flashing, revolving, animated or otherwise in motion) and of course, now I am second guessing myself. I think we need the Town Attorney to give a little guidance as to how to proceed; that or the applicant approach the Town Board and amend the Local Law. I believe I've attached everything you both will need to move forward. Thanks! Karen

Karen Rice, Clerk to Planning, Zoning & Codes Town of Lysander
8220 Loop Road
Baldwinsville, NY 13027
Telephone: (315)638-4819
Email: planning@townoflysander.org
Website: www.townoflysander.org

-----Original Message-----

From: Copier Two <Copy2@townoflysander.org>

Sent: Tuesday, February 11, 2025 1:17 PM

To: Karen Rice <planning@townoflysander.org>

Subject:

ECOSYS M6235cidn

[0017:c8:e9:3d:f4]

Chapter 320. Zoning

Article XX. Supplemental Regulations

§ 320-53. Signs.

- A. In residential and agricultural districts, no sign shall be erected or used except:
- (1) A professional or announcement sign which may be illuminated on one or two faces but shall not be flashing, revolving, animated or otherwise in motion nor more than two square feet in area on each face.
 - (2) A nonilluminated temporary real estate sign, not more than 12 square feet in area, for the sale or rental of the property upon which it is located; and on a corner lot, two such signs, one facing each street.
 - (3) A nonilluminated advertising sign, not more than 32 square feet in area, for the sale of products grown or produced on the premises; and on a corner lot, two such signs, one facing each street.
 - (4) Signs appropriate to a public or quasi-public building or necessary to legal process.
 - (5) Identification signs for residential subdivisions not exceeding 32 square feet when approved by the Planning Board as a part of subdivision approval or otherwise approved by the Zoning Board of Appeals.
- B. In all other districts, no sign shall be erected or used except:
- (1) Those permitted in residential and agricultural districts.
 - (2) Not more than three signs which may be illuminated on one or two faces but shall not be flashing, revolving, animated or otherwise in motion having a total area not greater than 8% of the area of the building facade facing the street and in no instance greater than 75 square feet. These signs shall be limited to advertising a business conducted on the premises.
 - (3) Advertising or display signs for shopping centers designed in accordance with an integrated sign plan approved by the Board of Appeals pursuant to Articles XVII and XVIII.
- C. General regulations. The following regulations shall apply to all signs:
- (1) No sign in any district may extend over a sidewalk or other public way.
 - (2) Except in agricultural districts, no sign in any district, unless attached to a building, shall be located nearer to a street line than 25 feet nor, except in business or industrial districts, nearer to a side line than 10 feet.
 - (3) Building permits shall be required for all signs 10 square feet in area or larger, which shall be regarded as structures within the meaning of this chapter.
 - (4) Advertising display upon any structure shall be regarded as a sign subject to this chapter.

- (5) No sign attached to a building in any district shall project above the height of the wall upon which it is attached. No freestanding signs shall be higher than 25 feet above grade.
- (6) No illuminated sign or outdoor illumination shall be erected or used so that light will directly reflect toward residences on adjoining lots, toward residential districts within 1,000 feet or toward a highway so as to create a traffic hazard.
- (7) All accessory advertising devices of commercial enterprises other than signs permitted by the above regulations such as, but not limited to, bunting, pennants, pinwheels or streamers are prohibited.
- (8) In no instance shall signs be permitted within 660 feet of the right-of-way of a controlled access highway except for those signs which advertise a business conducted on the premises, signs placed on properties for sale or rent and signs incident to legal process and necessary to the public welfare.

[1] *Editor's Note: See also § 320-4.*

Chapter 320. Zoning

Article XXIII. Administration

§ 320-66. Procedures for appeals and applications.

- A. The Board of Appeals shall act in strict accordance with the procedures specified by law and by this chapter. All appeals and applications made to the Board of Appeals shall be in writing on forms prescribed by the Board of Appeals.
- B. Every appeal or application shall refer to the specific provision of the zoning law involved and shall exactly set forth the interpretation that is claimed, the use for which the special use permit is sought or the details of the variance that is applied for and the grounds on which it is claimed, as the case may be. The Board of Appeals shall fix a reasonable time for the public hearing required for every appeal or application and shall give public notice thereof by the publication in the official paper of a notice of such public hearing at least 10 days prior to the date thereof and shall, at least 10 days before such public hearing, mail notices thereof to the parties involved.
- C. Except for area variance applications, at least 10 days before the date of the public hearing required by law on an application or appeal to the Board of Appeals, the Secretary of said Board shall transmit to the Planning Board of the Town of Lysander a copy of said application or appeal, together with a copy of the notice of the aforesaid public hearing, and shall request that the Planning Board submit to the Board of Appeals its advisory opinion on said application or appeal, and the Planning Board shall submit a report of such advisory opinion prior to the date of said public hearing.
- D. In addition to the notice required by statute, notice shall be given of any application made under the provisions of this article by mailing, at least five days prior to the hearing upon such application, written notice of the substance of the application and the date, time and place of the hearing to all the owners of land which immediately adjoins the premises for which said application is made or which abuts the same street or streets as said premises and is within a distance of 300 feet, exclusive of street rights-of-way, of the exterior boundaries of said premises, as the names and addresses of said owners appear in the latest completed assessment roll of the Town. Failure to comply with this section shall not invalidate any action taken by the Board of Appeals.
- E. Every decision of the Board of Appeals shall be made by resolution, each of which shall contain a full record of the findings of the Board in the particular case. Each such resolution shall be filed in the office of the Town Clerk. The Board of Appeals shall notify the Town Board and the Planning Board of the Town of Lysander of each special permit use and each variance granted under the provisions of this chapter.

Chapter 320. Zoning

Article XVIII. Special Permit Uses

§ 320-44. Findings of Board of Appeals.

Special permits shall be issued by the Planning Board upon the following findings:

- A. The proposed use is consistent with an orderly and appropriate development of the neighborhood and surrounding area.
- B. The proposed use is not unreasonably detrimental to the existing structures or uses in the neighborhood by reason of noise or vibration, odor or other form of air pollution, fire or explosive hazard, glare or any other substance, condition or element.
- C. The proposed use, as to general character, height and use of structure, the provisions of surrounding open space and treatment of grounds and as to its effect on street capacity and use, is sufficient to safeguard public health, comfort and convenience and to preserve the general character of the neighborhood in which such structure is to be placed or such use is to be conducted.
- D. Where appropriate, the proposed use is an adequate transition between adjacent uses or districts.
- E. The use thereof will not cause undue traffic congestion or create a traffic hazard.

TOWN OF LYSANDER
PLANNING BOARD MEETING
Thursday, March 13, 2025 @ 7:00 p.m.

The regular meeting of the Lysander Town Planning Board was held Thursday, March 13, 2025 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York

- MEMBERS PRESENT: Hugh Kimball; Steve Darcangelo and Matt Hunt
- MEMBERS ABSENT: John Corey, Chairman and Doug Beachel
- OTHERS PRESENT: Jim Hickey; Liz Schmitt; Ed Schmitt; Peter Hansen and Karen Rice, Clerk

The Planning Board did not anticipate a quorum this evening, therefore action was tabled for the Controlled Site Use applications of Winds of Cold Springs Harbor LLC and Reeves Farm LLC so that they could be heard with a full Board.

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

I. PUBLIC HEARING -- None Scheduled

II. APPROVAL OF MINUTES

Review and approval of the minutes of February 13, 2025 and March 13, 2025 Planning Board Meetings.

III. OLD BUSINESS

- | | |
|---|---|
| 1. Controlled Site Use
Case No. 2024-018 | Winds of Cold Springs Harbor LLC
3642 Hayes Road |
|---|---|

This item will be Tabled with no discussion.

IV. NEW BUSINESS

- | | |
|---|---|
| 1. Controlled Site Use
Case No. 2025—002 | Reeves Farm LLC
— 1184 West Genesee Road |
|---|---|

This item will be Tabled with no discussion.

V. OTHER BUSINESS

- | | |
|--------------------------|---|
| 1. Recommendation to ZBA | Charles Signs Inc.
Fireside on the River
2347 West Genesee Road |
|--------------------------|---|

Jim Hickey stated that he is President of Charles Signs and a resident of Baldwinsville.

Mr. Hickey is before the Board this evening on behalf of his customer, Fireside on the River, 2347 West Genesee Road. It is his understanding that before going before the Zoning Board of Appeals a recommendation from the Planning Board is required.

Backstory provided by Karen Rice, Clerk, in the submittal of meeting materials on file: There is some confusion as to what the applicant is applying for. They are asking relief from Section 320-53, Paragraph B(2) of the Sign Ordinance: Not more than three signs which may be illuminated on one or two faces but shall not be flashing, revolving, animated or otherwise in motion have a total area not greater than 8% of the area of the building façade facing the street and in no instance greater than 75 square feet. These signs shall be limited to advertising a business conducted on premises.

They are 'appealing' the Code. It's not an Area Variance, it's not a Use Variance; which brings you to how to proceed per Article XXIII, Administration, Section 320-66, Procedures for appeals and applications, Paragraph C: Except for area variance applications, at least 10 days before the date of the public hearing required by law on an application or appeal to the Board of Appeals, the Secretary of said Board shall transmit to the Planning Board of the Town of Lysander a copy of said application or appeal, together with a copy of the notice of the aforesaid public hearing, and shall request that the Planning Board submit to the Board of Appeals its advisory opinion on said application or appeal and the Planning Board shall submit a report of such advisory opinion prior to the date of said public hearing; and Article XXIII, Administration, Section 320-65, Board of Appeals, Paragraph C(2) Powers and Duties: Special Use Permits. To approve and grant permits for specific structures, conditions and/or uses whenever approval by the Board of Appeals is required by this chapter, submit to the findings set forth in Article XVIII, Section 320-44 and Special Use Standards of Section 320-45 (if applicable).

Karen stated that we asked for guidance from the Town Attorney as to how to proceed but have not received it yet. Not wanting to miss the deadline a second time I included all the sections cited in the Backstory in the Legal Notice for the April 7, 2025 Public Hearing before the Zoning Board of Appeals. The interpretation from the Town Attorney make come back that it's not necessary and the applicant can just appeal to that section of the Code about flashing/revolving signs, but rather than chance it everything was included including the requirement for this Board recommendation.

Hugh Kimball, Acting Chairman, stated that it appears the Code Enforcement Officer (Tim Wolsey) has rejected the Building Permit application because he doesn't have the power to override what the Town Law says.

Mr. Hickey concurred stated that they are looking to install a new 3' x 8' LED Message Center on the bottom of the existing sign. There used to be a manual sign that was replaced two years ago. It was replaced with a different sign cabinet. He'd like to put the message center up there to allow people that drive by to see what's going on at the restaurant...to advertise to the public as you drive by the facility. Currently the Town Code doesn't address LED Message Centers. The section that talks about not allowing flashing and revolving signs doesn't really apply to this case as message centers aren't flashing lights as identified by New York State, but that's what he's looking to do and that's why we're here.

Steve Darcangelo stated that there are only two variances that go to the ZBA, an Area Variance or Use Variance.

Karen...and a Special Use Permit. It's not really an area variance because he's within what's allowed in the Code. It's not a Use Variance either because he's allowed a sign in this District.

Mr. Darcangelo questioned if this is a Special Use Permit.

Karen stated that we've been waiting on a response from the Town Attorney. Dave Herkola phoned back today at 4:00 today and he said we will talk tomorrow because he wasn't sure what way to go. We were treating it as a Special Use Permit because it's not identified in the Code. This Board is just making a recommendation as to whether you believe LED signs meet the spirit of the Code and you want to give them an exception.

Mr. Kimball questioned what the CEO's comments were or what part of the Code is cited.

Karen stated that it's all on the application...the Sections Charles Sign's is appealing.

Mr. Darcangelo stated that he believes Tim is correct in referring it. The Code Enforcement Officer is not intended to be an Interpreter of the Code. His responsibilities are purely to enforce the Code, so when there's something that is an area that maybe needed an interpretation I think he's correct in disapproving the application. It is frustrating to the applicant when that occurs but that is the correct action from the Code Enforcement Officer.

Mr. Hickey stated that he understands why he did it and expected it.

Mr. Darcangelo stated that personally he is against variances unless you can show...again I'm not sure what this is a Use Variance or an Area Variance. Those variances have requirements that must be met and one of them is that it's not self-imposed. A new sign going up there's no way to make the claim that it's not self-imposed. If you were to buy a structure and it had a sign in front of it, a sign that was not in compliance, you can say I'd like to use that sign it's something that you didn't have any control over it, it was there when you bought it. Putting up a new sign it's difficult to do that. I don't know what to do...

Karen...short of them going to the Town Board and amending the Sign Ordinance.

Mr. Darcangelo stated that that is what really needs to happen...go to the Board and ask for the Code to be clarified with the understanding that you believe such a sign is not a detriment to the community. You make the statement that the Code should be clarified and it should allow a sign such as this because it's informational for a community, on a local business and it's not something that distracts traffic and you make your plea for why the sign is an appropriate sign and that would make life easier for everyone because then it would be clearly allowed. Then I would imagine the Town Board would come to us and ask for a recommendation on a modification to the Code. For me though variances are very clear. Again, there are four objectives that must be met with an Area Variance...does it meet the character of the neighborhood, do you know them Karen.

Karen...well, unique circumstances, prove unnecessary hardship, not self-created, meet the spirit of the law, character of the neighborhood.

Mr. Darcangelo...I think you would have a hard time in meeting those four only because of the self-imposed hardship.

Mr. Hickey...I think we can do the first three, the self-imposed, most variances are self-imposed regardless. That is the most difficult to overcome in any application.

Mr. Darcangelo stated that the intent is to not be distractive to traffic, other local business and residents in the area and you would say this doesn't do that. So, it may be considered an LED sign but it's not flashing, not changing...it's informational and therefore it doesn't interact in a way that the intent of the regulations read.

There was some discussion as to how LED signs work, are they constant until you change them or do they scroll.

Mr. Hickey stated that this Code was written prior to these signs (LED)...they all have the ability to move and scroll and do all those things.

Example: Belgium Cold Springs Fire Department sign at the 5 corners that was allowed by right with a building permit as they are exempt from the Code.

Mr. Hickey continued regarding our Code and the definition of Flash per NYS specifically...a 'flash' is a light that emits light less time than it is off; so that doesn't apply to these types of signs. It has been taken care of in the NYS Supreme Court. The rotating part does not apply there either, we've run across this over the past twenty years. Technology has evolved. Lysander is really the only Town left who has not addressed this particular thing specifically.

Mr. Darcangelo agreed that he does see them (LED) in other communities.

Mr. Kimball...are you saying that this is actually going to be moving?

Mr. Hickey...all Electronic Message Centers have the ability to play video and scroll anything you want. It is basically a monitor...it's how you program it and the use of it.

Mr. Kimball...what is your intent for this one.

Mr. Hickey stated that he believes the intent of the owner of this restaurant is to be able to put advertising on there. I have not spoken to him specifically about whether or not he's going to have full moving video, I don't believe that's the case, but I can't speak on behalf of him...

Mr. Darcangelo stated that there is a distinction, say "Tuesday Night Special" and it were to be there for 10 seconds, then something else were to come up, maybe solid and not scroll through. To me that is not a flashing, rotating, revolving sign. If it is scrolling through it is different just because of the impact it might have to traffic. The sign very close to the road, on a roadway that has traffic...

Mr. Kimball...heavy traffic a couple of times a day, normally at times you would be looking for a restaurant.

Mr. Darcangelo...so it has traffic and it is probably a 30 mph, but unfortunately faster than that as you head out of the Village. Traffic past that point may be greater than the speed limit. The sign 'could' be identified as a deterrent to traffic. However, you go down 81 right now and there are signs telling us to YIELD AHEAD, we are obligated to see those and they pull our attention away. Is it any greater than that, I say No.

Mr. Hickey stated that the U.S. Department of Transportation has done numerous studies on this. The first study they did was in 1988 or the early 90's. They set out to prove what a hindrance to traffic...they found out there is no difference between that and a regular sign. It makes sense because the strip in Las Vegas would be absolute mayhem with people everywhere if that was the case or Times Square. There are numerous government studies that show it is not a distraction to traffic. I can get into great detail if you would like. I have actually written the Code for other Town's on this. I am actually an expert on this information. I can go as deep as you want with it. I don't know if this is the right time or place but we certainly can.

Matt Hunt questioned if anybody else had brought this before us.

Karen stated that with the exception of the Fire Department and one other they just don't have them 'flashing and revolving'.

Mr. Kimball stated that he has two concerns. The sign is close to the road, granted it is 30 mph, but it is on the way out of the Village and once you get past Artillery there are no more streets until you hit Dexter and I can guarantee they're going more than 30 mph. That is the concern with the closeness to the road, having something in addition to what is already there.

Mr. Hickey stated that this would replace what is there. There is no additional signage.

Mr. Kimball stated that the other concern I have is there are a number of other businesses along there. Marina, Spa, Motel on the same property, gas station and another restaurant at the corner of Dexter, which also has a sign close to the road but where it is supposed to be hopefully. It is not something that draws your attention unless you are looking for a restaurant.

Karen stated that the Fireside did get a permit when Brian Holmes took over for the signs that there now, but it did not include the LED.

Mr. Darcangelo...this sign is a replacement of an existing sign?

Mr. Hickey stated that there is a sign at the bottom. The original sign permit was for the same square footage. This sign will only replace part of that sign.

In referring to the proposed rendering Mr. Darcangelo stated that he sees it no different than what is currently there. It's letters on a Board. I don't see how it would be any more detrimental to my attention as a driver. Animated dancing shrimp may be distracting, but a sign offering seafood and steak, no. I would say no animation, but I don't care how you change the letters on your sign, whether it's electronically or manually. For me, I would support that for discussion.

Mr. Hunt stated that ultimately the Codes need to be updated. I don't feel this would be a distraction. It's an easier way to interchange your lettering.

Mr. Hickey stated that some Town's will put restrictions on signs, some will say it has to be a 'static display' other than when it changes. The normal whole time involved is about 4 seconds.

Mr. Hunt stated that there are billboards on highways with LED Message Centers with ads all the time....

Mr. Kimball...but they are farther away from the road.

Mr. Hunt...they are but they pull your eyes away from the road as well but don't appear to be that big of a distraction on the highways. I suppose at the end of the day if it ends up having animation and is flashing he would be in violation of the Code and he would be cited.

Mr. Darcangelo questioned if the client has the intent to use the sign for more.

Mr. Hickey reiterated that a static display that changes every 4 seconds is going to absolutely accomplish everything that he wants to do.

Mr. Kimball stated that his second concern is a precedence you may be setting for all of these other businesses in the area. You could have a neighborhood area looking like Broadway and I don't want that.

Mr. Darcangelo stated that if it gets too wild it's clearly a violation of the Code. There's language that would lead you to believe that if there was animation it would be in violation of the Code and the Code Enforcement Officer would stop that action. Personally, I would be in favor of recommending this to the ZBA with the understanding that it meet the definition of the 'static display'...if there is a definition for that, I would be in favor of it.

Mr. Hickey stated that there are two of these Boards in the Village of Baldwinsville, St Mary's Church that they did and another Church where they do the ham dinners. I know it's new and different and may seem distracting but that's really not the case.

Mr. Darcangelo questioned whether the Village has a Code of a similar nature.

Mr. Hickey stated that someone had received a variance to do a sign at St Mary's prior to us being involved. My family gifted that sign to the Church. It had already been previously approved in the Village.

Mr. Darcangelo stated that he would like to prepare a Resolution to the ZBA.

RESOLUTION #1 -- Motion by Darcangelo, Second by Hunt

RESOLVED, that the at request of the Zoning Board of Appeals the Planning Board recommends that a Sign be approved for property located at 2347 West Genesee Road, Baldwinsville, New York, with the understanding that the modifications or changes in the lettering fall into the category of a 'static change' with a four (4) second hold.

3 Ayes -- 0 Noes

Mr. Hickey thanked the Board for their time.

VI. ADJOURN

RESOLUTION #2 -- Motion by Darcangelo, Second by Hunt

RESOLVED, that the March 13, 2025 regular Planning Board meeting adjourn at 7:26 p.m.

3 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk