

VILLAGE OF WATKINS GLEN  
ZONING BOARD OF APPEALS  
MINUTES  
August 27, 2014

A meeting of the Watkins Glen Zoning Board of Appeals was held on Wednesday, August 27, 2014. Present were: Chairperson Mark Stephany, members; Kathy Fragola, David Wyre and Walter Hollien. Also present were Code Enforcement Officer Greg Larnard and recording Secretary Naomi C. Kingsley.

Chairperson Stephany called the meeting to order at 7:00 pm.

David made a motion to accept the April 3, 2014 meeting minutes. Kathy seconded the motion. All were in favor, motion carried.

Application 2014-02 – Official Zoning Law Language Interpretation/Appeal of Zoning Administrator's Decision – Elmira Savings Bank, 712 N. Franklin St., Jim Pollen, and Facilities Manager was present to represent Elmira Savings Bank.

Kathy stated that she owns stock in Elmira Savings Bank but believed she could be objective in hearing this application.

Mr. Pollen stated that a March 2105 opening date has been scheduled by Elmira Savings. They are looking at two signs, one on the building as well as a free standing one with the time and temperature similar to the Chemung Canal sign. The sign on the building would be in the same place as the HSBC one was but it would be similar to the CarQuest sign, illuminated letters less than 1 foot from the building. The requirement is 8". The free standing sign would be in the same place as the one that is there now.

Kathy and Mark helped to right the current law and the Chemung Canal sign referenced did and does not meet the characteristics of the law. There have been 3 sign issues since the County sign was installed, but the County is not subordinate to the Village law. The rewrite added section M5 but didn't delete CB from M2. Mark told Mr. Pollen that just a few months ago the Colonial Motel requested an interior lit digital sign message center and they were turned down. They are just across the street from you. The village is looking for architectural and historically appropriate signs and lately some things have slid in under the radar and now the board is trying to put the genie back in the bottle, so to speak. This board has to be fair and true to the law that was written.

Mark explained that an Area Variance differs from a Use Variance and the decision need not be unanimous. We do still need to stay away from internally lit digital signs. We will go through the process and the members can ask questions.

Kathy asked the total height of the proposed clock sign. Mr. Pollen guessed that the post is approximately 12' high and the top sign portion is an additional 7'. Elmira Savings would use the existing post and just replace the top. Greg stated that if they used the existing with a new top it would be more than 12' high and the requirement in the law is 12' total height. Kathy asked if there was any specific reason that they needed the time and temperature. Mr. Pollen responded "no" ESB is negotiable. Does ESB want to consider a variance relative to the height of the existing sign? The law requires that a free standing sign over a pedestal be not less than 10' but not more than 12' tall. Is there

anything in the law that refers to using an existing sign? Mark stated that the requirement is 10' above the finished grade for signs over a pedestrian way, this sign is not over the pedestrian way, and it is set back so according to 9.7.2 E it is not to be more than 12' high, could it be cut down to be a total of 12' high? What if a sign was made to fit the size of the frame that is there now, could it be treated as a pre-existing and left as it is??

The sign on the building would be in letters smaller than the HSBC ones that were there. There is a wire track that runs behind the letters and each letter is individually lit. The letters can be kept within 8" of the building. The letters are about 4" deep.

Walter stated that given the time that the building has been empty and the change in ownership he didn't think that the free standing sign could be grandfathered. David was in agreement.

The board will review the two sign requests individually, first the façade sign and the question is interior or exterior lighting. Walter made a motion to approve the façade sign. David seconded the motion. All were in favor. Next the free standing sign. David stated that it is hard to externally light a sign 12' in the air; there is not enough room around it. Kathy asked the cost for the 2 sided clock - \$20,000.00. Walter made a motion to deny the request. Kathy seconded the motion. Three voted in favor of the denial, there was 1 abstention.

Mark stated that with regards to the freestanding sign, ESB can operate within the guidelines of the Zoning Law or come back with a modified request.

There being no further business Walter made the motion to adjourn. Kathy seconded the motion. All were in favor, motion carried. Meeting adjourned at 7:40 pm.

Respectfully submitted

Naomi C. Kingsley  
Acting secretary