

2577 US Route 11  
P.O. Box 193  
LaFayette, NY 13084



Date: May 28, 2019

Time: 7:00 pm

Location: LaFayette Town Offices

## Zoning Board of Appeals Meeting

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**Meeting called by:** LaFayette Zoning Board

**Chair:** Christine Keenan

**Secretary:** Sue Marzo

**Attendees:** Zoning board members: Karl Field, Christine Keenan, Anita Miner, Mike Stiner, James Nash

Jeff Brown, Town Counsel, Sue Marzo, Secretary, Lauren Monaghan of Bohler Engineering, Stewart Shute, applicant, Ralph Lamson, Codes Officer, Bryan Stump, applicant representative for Cypress Creek (not on agenda)

## *Minutes*

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Christine Keenan opened the meeting with introductions by all at 7:00 pm. Motion to accept minutes of April 23, 2019 Zoning Board meeting was made by Mike Stiner and second by Anita Miner. All Board members approved minutes as written.

**Case # 6-2019 ZBA**

**SKETCH HEARING**

**Application by Stewart Shute for Variance for construction of a 14' x 75' building at property located at 5247 Route 20, LaFayette, NY within 3' of north property line, north side of Route 20 to the west & east side of Tully Farms Road. The purpose of the building is for storage. Tax Map No. 021.-03-09.2**

**Discussion:**

Stewart Shute approached the Board for approval to build a storage building on the north side of his property to house bulk material, firewood, etc. The structure to be 75' x 14'. Chairperson Keenan asked the applicant if there was anywhere else it could be put on the property. For security reasons this was the best place for the structure. He mentioned future for another building 40' x 80' or possibly 100' soon. The storage unit will back up to the property of Mathew 25 Farm. Attorney Brown said it will require SEQR. A motion was made to set up a public hearing for June 25 by Mike Stiner, second by Anita Miner. All Board members were in favor.

**Case #5-2019 ZBA**

**PUBLIC HEARING**

**An application by McDonald's Corporation for an area variance for number of signs, two (2) signs maximum are allowed in the Hamlet district, six (6) signs are proposed. A variance is requested for the height of the sign near the highway, 25' maximum height is allowed, and 60' is proposed. Additional variances are requested for setback from the property line, 50' is required and both proposed free standing signs are approximately 10' from the property line.**

**Discussion:**

Lauren Monaghan of Bohler Engineering representing McDonald's Corp. refreshed the Board's memory on the remodel of the existing restaurant with new free-standing signage. The request is for the existing highway sign on McDonald's property where the grade is low to rise from 35' to 60'. She presented renderings of the proposed signs. The display was hard to see how the signs would appear on the property. The goal of the request is to get the sign above the Route 20 overpass, so it is more in line with the roofline. The building will blend into landscape a lot more than it does today. Christine Keenan asked if the NYS DOT was contacted regarding required permits. Ms. Monaghan stated that those who work on the sign will need permission to access the sign from the highway. James Nash asked if the blue highway signs currently announce a McDonald's. The answer was yes. Ms. Monaghan said remodeling is being done on all stores to get back to a modern look. There will be wifi kiosks and the restaurant will have a new café style and be less kid oriented. Mike Stiner asked where the other lighted signs are proposed. Ms. Monaghan said a new free-standing sign on Route 20 frontage is requested because it is hard to see the McDonald's restaurant coming from the west since Byrne Dairy was erected. There will be wall mounts of the wordmark and a golden arch above each door. Anita Miner asked if the building will still be brick. Ms. Monaghan said they will be cleaning the brick and the brick will be taupe in color. Mike Stiner asked if the structure will be any higher than the existing building. Ms. Monaghan replied no. Ms. Keenan advised that the signage cannot go above the roofline.

Below is the Onondaga County Planning Board Resolution:



Joanna M. Mahoney  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: April 24, 2019

OCPB Case # Z-19-96

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of LaFayette Zoning Board of Appeals at the request of McDonald's Corporation for the property located at 5961 Route 20; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Route 20 and Interstate Route 81, both state highways, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting area variances to allow 6 signs where only 2 are permitted, increase the maximum permitted height of a freestanding sign from 25' to 60', and reduce the setback of two signs from 50' to 10' in a Hamlet / Mixed Use (HMU) zoning district; and
- WHEREAS, in 2005, the Board offered no position for a special permit referral (Z-05-57) to replace an existing roof on the McDonald's restaurant; and
- WHEREAS, the site is located along US Route 20 in the Town of LaFayette and abuts I-81 to the east; surrounding land uses are a mix of commercial and civic in the LaFayette town center occurring on the east side of I-81; the site and surrounding lands west of I-81 are enrolled in NYS Agricultural District 1; an adjacent parcel appears to contain active farmland; and
- WHEREAS, the submitted Site Plan dated July 5, 2018 shows the site contains an existing one-story building (McDonald's) surrounded on all sides by asphalt with parking at the front and sides of the building and a drive-thru lane occurring along the rear and north side; aerial imagery shows a gravel parking area at the rear of the McDonald's building and parking lot; and
- WHEREAS, per the Site Plan, there is an existing driveway on Route 20 that serves the McDonald's and rear gravel parking lot, as well as a recently constructed Byrne Dairy convenience store and gas station on the adjacent parcel;  
ADVISORY NOTE: per the NYS Department of Transportation, all existing or proposed driveways on Route 20 must meet Department requirements; and
- WHEREAS, the Site Plan shows a proposed 25' tall free-standing sign at the front of the parking lot along the Route 20 frontage and an existing 34.6' tall free-standing highway sign along the I-81 right-of-way, to be raised to 60' in height; additional proposed signage includes two 28 sf wallarch signs to be mounted on the front and non-drive thru sides of the building and two 33 sf wordmark signs on the front and drive-thru sides of the building; and
- WHEREAS, per the Town of LaFayette zoning code, only 2 advertising signs are permitted for the identification of a business in the HMU district and all freestanding signs are restricted to a maximum height of 25' above grade; all signs must also adhere to the setback requirements of the zoning district in which it is located, unless the sign is attached to a building; both of the freestanding signs are shown in the Site Plan to occur 10' from the lot line, where 50' is the required front yard setback;

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and

WHEREAS, per the variance application, "[t]he site is located near the interstate and relies on the interstate traffic for a large portion of the business. The higher highway sign and additional free standing sign will help interstate traffic recognize the McDonald's and exit the interstate safely."; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated March 14, 2019, the proposed project also includes interior and exterior renovations to the building, ADA improvements, new building signage and drive-thru menu boards; the Site Plan shows site improvements to include parking lot striping to delineate handicap-accessible and 'mobile-to-go' parking spaces and reconfigure the row of parking at the side of the building; a proposed concrete sidewalk is shown along the non-drive thru side of the building and there will be new pavement markings and directional signs for site circulation; and

WHEREAS, the site is served by an individual well and septic system; no changes to the existing infrastructure are proposed; and

WHEREAS, per the EAF, the site is adjacent to an existing wetland/buffer that occurs on the east side of I-81; no alterations to this wetland or its buffer are proposed; GIS mapping shows the site to be located entirely outside of the wetland and buffer areas; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT(S) in regards to the above referral:

The Town is encouraged to consider the compatibility of the scale and height of the freestanding signage with the rural character of the surrounding area.



Daniel Cupoli, Chairman  
Onondaga County Planning Board  
Transmittal Date: 04-25-2019

The Board discussed and completed parts 2 and 3 of the SEQR short form, which is on file in the Town Clerk's Office.

Motion to designate the Zoning Board as lead agency and to declare negative declaration was made by Mike Stiner, second by Anita Miner. All Board members were in favor.

Motion was made to open the public hearing by Mike Stiner, Second by Anita Miner. All Board Members were in favor. Ms. Keenan asked if anyone in attendance would like to speak on the McDonald's proposal. There was no one present to comment. Mike Stiner made a motion to close the public hearing, second by Anita Miner. All Board members were in favor.

Ms. Keenan reviewed the five factors deciding a zoning variance and advised the request is substantial for the 60' free standing sign.

James Nash stated that the existing sign which meets requirements is satisfactory and has demonstrated McDonald's as a successful business. Karl Field has reservations on the affect the signage would have on the hamlet. The 25' limit is going to be changed forever. Anita Miner advised that the Ichor sign was made smaller.

The Board did not allow them to put up a giant sign. Mike Stiner opposes the 60' sign because you will see it from a lot of places within the Town. Christine Keenan proposed splitting up the variance application into three components. Signs on the building are fine with the Board. Motion was made to approve the building signage as proposed by Mike Stiner, second by Anita Miner. All Board members were in favor.

The Route 20 sign is the 2<sup>nd</sup> component. McDonald's is asking for a variance of 50' off the property line. Mike Stiner asked for a picture of the sign photoshopped on highway 20 so the Board can see visually what they are being asked to approve. With the berm from Byrne Dairy it is hard to see McDonald's. Mike Stiner asked if it would be in center of building. Ms. Monaghan advised it will be in line with the drive thru. Christine Keenan asked if there was any place else it could go that would not require a variance. Ms. Monaghan advised they wouldn't get the benefit if in any other location. Anita Miner asked if the signs would be lit all the time. Ms. Monaghan advised they are internally lit at all times. All Board members are in agreement that they want to see an actual photo of the signage at road view. This request is tabled until they have a response to this request.

The third component of the variance application relates to the Rt. 81 tall signage. Motion was made to disapprove the 60' tall sign by Mike Stiner, second by Anita Miner. This disapproval was based on the request not being compatible per Article 2, Section H, Paragraph 1. All Board members in favor.

**The Board evaluated the five statutory factors for area variances:**

**Whether the benefit sought by the applicant can be achieved by some other method?**

Yes - Achieved by other means available to applicant.

**Whether undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties?**

Yes – Undesirable change to neighborhood or nearby properties.

**Whether the requested area variance is substantial?**

Yes – request is substantial going from 25' to 60'.

**Whether the proposed variance will have an adverse impact on neighborhood?**

Yes – adverse physical or environmental affects on hamlet including visual impacts.

**Whether the alleged difficulty was self-created?**

Yes – it is self-created.

Mike Stiner also asked Ms. Monaghan to review the possibility of having the signage lit only during hours of operation. Ms. Monaghan will investigate that option.

Karl Field asked if there are any regulations from the State on height regulations of signage. Jeff Brown said they have been talking to the state about interstate highway regulations. He advised that since the sign is not approved, the regulations are not going to apply, however he has information on the subject should it be revisited.

Ralph Lamson was surprised that they don't move the sign further up the hill, so it does not require a variance.

Bryan Stump of Cypress Creek attended off agenda. Motion was made to set for a public hearing on June 25 by Mike Stiner, second by Anita Miner. All Board members were in favor.

Motion was made by Mike Stiner to adjourn the meeting, second by Anita Minerd. All Board members were in favor.

Meeting adjourned at 7:43 pm.

**Action items:**

Lauren Monaghan – Bohler Engineering – provide rendering of Route 20 signage for Board review.

Lauren Monaghan – Bohler Engineering – investigate signage illumination only during hours of operation.

Respectfully Submitted

Sue Marzo  
Zoning Board Secretary

