

**MINUTES  
VILLAGE of ARDSLEY  
ZONING BOARD of APPEALS  
REGULAR MEETING  
WEDNESDAY, JANUARY 25, 2017**

**PRESENT:** Patricia Hoffman, Esq., Chair  
Jacob Amir, Esq.  
Mort David  
Michael Wiskind

1) **Call to Order**

The Chair called the regular meeting to order at 8:00 pm.

2) **Announcements and Approval of Minutes**

**Announcements**

The Chair announced that the Board presently has four members, and that three votes were still required.

The Chair announced that the next meeting of the Zoning Board of Appeals is scheduled for Wednesday, February 22, 2017 at 8:00 pm.

**Approval of Minutes**

Mr. David moved, and Mr. Wiskind seconded, that the minutes of the meeting of October 26, 2016 be approved.

**Vote:** four in favor, none opposed, none abstaining, as follows: Chair – aye; Mr. Amir – aye; Mr. David – aye; and Mr. Wiskind – aye.

### 3) **Continuation of Public Hearing**

#### **Application for Variance from Village Code Requirements**

**Lock Up Ardsley LLC (by Robert A. Soudan, Jr.),**

**630 Saw Mill River Road, Ardsley, New York.**

**Section 6.70, Block 42, Lot 2, in a B-2 Special Business District.**

**For proposed front exterior wall signage (a) exceeding maximum permitted vertical measurement of 2 feet (Village Code §200-82C(2)(a)[2][a][iii]); and (b) exceeding maximum permitted lettering height of 18 inches (Village Code §200-82C(2)(a)[2][b]).**

**Present:** Patricia Hoffman, Esq., Chair  
Jacob Amir, Esq.  
Mort David  
Michael Wiskind

**Attendee:** Robert A. Soudan, Jr.  
Partner, Lock Up Ardsley LLC Signs & Awnings

The Chair announced that Mr. Amir had previously recused himself on this matter and had been present at prior meetings on this matter but had not sat on the dais. The Chair reported that after review of the obligations and responsibilities, there is no longer a conflict of interest.

The Chair advised that the present application is for a sign that was originally proposed at 83 inches in height, which has been reduced, in response to the Zoning Board's request, to 25 inches in height for the letters, from which a drop down padlock adds 23 inches more in height, for a total height of 48 inches for that portion of the sign. The Chair further advised that the sign is backlit and will be on a timer, so that the light will go off at a time determined by the Village, which the Chair understands will be either ten or eleven o'clock.

Mr. David asked for clarification of two photos to be sure that everyone was referring to the same proposed sign. The Chair informed Mr. David which of the photographs was the original presentation with two lines stacked, and which was the newer proposal. Mr. Soudan explained that they had originally presented their corporate logo, which has the words "Lock Up Self Storage" underneath, and then went with the side by side version at the Zoning Board's request. Mr. Wiskind added that the current proposal is the one which was presented in December.

The Chair asked Mr. Soudan if he had anything to add. Mr. Soudan stated that he hoped the Board would grant the variance based on some of the other large signs that he has seen, such as "The House of Sports," which has 8 by 11 foot banners and 16 foot flares up and down the sides. Mr. Soudan pointed out that they are asking for only 48 inches, which is really 25 inches except where the padlock hangs down. Mr. Soudan added that he also has

looked at the Rite Aid and DeCicco & Sons signs, the latter of which is 49 inches high. Mr. Soudan pointed out that the square footage of the proposed sign is quite low, because in a box it is 112 square feet, and in a polygon it is only 63 square feet. Mr. Soudan opined that a variance would make sense due to the scale of the Lock Up building relative to the scale of the supermarket or the House of Sports. Mr. Soudan added that they are investing very heavily in Ardsley, that they believe in the project, and that they want to do everything possible to make sure that it succeeds. Mr. Soudan stated that a too small sign would be out of scale with the building.

Mr. David stated that he distinguishes between signs to identify and signs to advertise, and suggested that the initially proposed version was of a magnitude to imply advertising. Mr. David contrasted Lock Up's originally proposed sign with the sign over DeCicco & Sons, which is in a niche and which is not lighted. Mr. Soudan replied that by going side by side rather than stacked, they had reduced the size significantly, and added that the new proposal is just over half of the 209 square feet sign on House of Sports. The Chair added that the sign is going to be 14 feet off the ground, so that it will not be on top of the building but a little over the first floor, and thus will not be glaring from the rooftop. Mr. Wiskind added that there had been concern that the sign would be visible to residents in the Ridge Road area, but that he does not believe it would be because the buildings on the other side of Saw Mill River Road are a story and a half tall. The Chair added that, at the last meeting, concern had been expressed that the sign would be visible from the Saw Mill River Parkway and the New York State Thruway, but stated that this is not true, that the sign would be visible only from Route 9-A as one comes through the village. Mr. Soudan replied that they tried to keep the sign as low as possible, because the architect had designed the building, based on input from Boards initially visited, to create a neighborhood look, such as adding an awning.

Mr. David asked why the lock was placed where it is, instead of, for example, in between the words "Lock Up" and "Self Storage." Mr. Soudan replied that the words "Lock Up" with the lock hanging from the "O" and "C" are an integral part of Lock Up's logo. Mr. Soudan added that they have already split their logo in half by going horizontally unstacked. Mr. Soudan added that they use their logo at their 40 stores across the country and on the web, that it is the company's identifier and that to change it totally would lose brand identity. Mr. Wiskind stated that the Zoning Board appreciates Lock Up's willingness to use the longitudinal version, which, Mr. Wiskind noted, Lock Up has used at other locations. Mr. Soudan acknowledged that Lock Up has done this at the request of Boards elsewhere.

There were no members of the public present, obviating the need for the Chair to ask if anyone wished to speak in favor of or in opposition to the application.

Mr. Wiskind noted that the Building Inspector, Larry Tomasso, had received a letter from Ms. Kay Cobleigh of 33 Ridge Road, had satisfied Ms. Cobleigh's concerns prior to this

meeting, and had provided the Zoning Board a copy of the letter. The Chair pointed out that Ms. Cobleigh's letter expressed concern about the size of the building, and of the sign, and about the possibility of a lighted sign glaring into residents' homes. The Chair added that the Zoning Board has addressed all the concerns in Ms. Cobleigh's letter, to wit that the bottom of the sign is 14 feet above ground, and that the sign will not shine into residents' homes, as Lock Up has agreed to put the light on a timer.

### **Close Public Hearing**

Mr. Amir moved, and Wiskind seconded, that the Public Hearing be closed.

**Vote:** 4 in favor, none opposed, none abstaining, as follows: Chair – aye; Mr. Amir – aye; Mr. David – aye; and Mr. Wiskind – aye.

Mr. Wiskind proposed, and Mr. Amir seconded, the following Resolution:

WHEREAS, Lock Up Ardsley LLC, of 800 Frontage Road, Northfield, Illinois, 60093, has applied to this Board for a variance from strict application of the requirements of Section 200-82 Subdivision C(2)(a)[2][a][iii] of the Zoning Ordinance of the Village of Ardsley, which limits the maximum permitted vertical measurement of exterior wall signage to Two Feet, and for a variance from strict application of Section 200-82 Subdivision C(2)(a)[2][b] of the Zoning Ordinance of the Village of Ardsley, which limits the height of letters on exterior wall signage to Eighteen Inches, where applicant requests permission to install an exterior wall sign with an overall length of 336 Inches and an overall height of 48 Inches consisting of a 25 Inch high row of letters and a graphic element of a padlock hanging down from the letters an additional 23 Inches, and to mount said sign between 14 and 18 feet from street level on the front of the building currently under construction at 630 Saw Mill River Road; and

WHEREAS, this application is made under the authority of Section 200-97 Subdivision B of the Zoning Ordinance of the Village of Ardsley, affecting premises known as 630 Saw Mill River Road, Ardsley, New York, and designated on local tax maps as Section 6.70, Block 42, Lot 2 in an B-2 special business district; and

WHEREAS, a Public Hearing on this application was held by the Zoning Board of Appeals at the Municipal Building, 507 Ashford Avenue, Ardsley, New York, on November 30, 2016, which Public Hearing continued December 21, 2016, and further continued January 25, 2017, after due notice by publication; and

WHEREAS, at the Hearing, Jack Fitzgerald of San Signs and Awnings, and Robert A. Soudan, Jr., of Lock Up Ardsley LLC, appeared in support of this application, and no one appeared in opposition to this application; and

WHEREAS, prior to the January session of the Hearing, the Building Inspector received a comment from Ms. Kay Cobleigh of 33 Ridge Road, Ardsley, New York, and addressed it without Ms. Cobleigh appearing at the Hearing; and

WHEREAS, this Board, after carefully considering all testimony and the application, finds the following:

WHEREAS, this Board, in weighing both the potential benefit to the applicant and the potential detriment to the health, safety and welfare of the neighborhood if the variance is granted, has determined that:

- (1) neither an undesirable change in the character of the neighborhood nor a detriment to nearby properties will be created by the granting of the variances, as the building is located in a commercial area with the buildings on either side of and across the street from subject building all being commercial buildings, and the size of the sign and its letters is consistent with the size of signs and letters on other large buildings in the downtown Ardsley area, and is appropriate to provide notification of the presence of the business to potential patrons;
- (2) the benefits sought by the applicant cannot be feasibly achieved other than by variances, as a business notifies potential patrons of its existence and location only through appropriate signage;
- (3) the requested variances for the height of letters and height of sign are not substantial as the Code requirements apply to buildings with frontage of 75 feet, and the requested sign variances are for a sign for a building with frontage of over 200 feet, and the sign will occupy a very small proportion of the height, width and overall area of the front of the building, and the size of the sign is justified in light of the overall size of the building;
- (4) the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district in that the sign will be mounted between Fourteen and Eighteen Feet from street level, and thus will be visible to traffic passing by but will not be especially visible to residents on streets up the hill from Saw Mill River Road, and further that the sign will not be illuminated after an hour to be determined by the Board of Architectural Review and/or the Board of Trustees, so that the sign will not disturb neighbors at night, and the sign will be mounted on the Saw Mill River Road side of the building and thus will not be visible from the several nearby highways that go through the area; and

- (5) the circumstance requiring the variances was not self-created in that the corporate logo with a padlock hanging from the letters existed prior to the purchase of this building.

NOW THEREFORE, be it resolved that the applications of Lock Up Ardsley LLC are granted, with the understanding that this matter is also being referred to the Board of Architectural Review, which has jurisdiction over sign colors and illumination.

PROPOSED BY: Mr. Michael Wiskind. SECONDED BY: Mr. Jacob Amir

VOTE: 4 in favor, 0 opposed, 0 abstentions, as follows:

Patricia Hoffman, Chair – AYE,

Jacob Amir – AYE

Mort David – AYE

Michael Wiskind – AYE

The Chair thanked Mr. Soudan for his patience and for coming to this meeting.

Mr. Soudan asked what to expect at the Board of Architectural Review, and whether it had the authority to block this. The Chair advised Mr. Soudan that the Board will ask you about the colors. The Chair reminded Mr. Soudan that he had been before the Board of Architectural Review before, and that it had been supportive.

#### 4) **Adjournment**

There being no other business before the Zoning Board of Appeals, on motion of the Chair, seconded by Mr. Amir, which motion passed unanimously, the meeting was adjourned.

Respectfully submitted,  
Judith Calder  
Recording Secretary