

VILLAGE OF ARDSLEY
ZONING BOARD OF APPEALS
RESOLUTION
of JUNE 28, 2023
GRANTING A VARIANCE
FOR INSTALLATION OF A NEW DOUBLE-SIDED SIGN
To: NJ ENERGY REALTY LLC

WHEREAS, NJ Energy Realty LLC, 891 Saw Mill River Road, Ardsley NY 10502, has applied to this Board for a variance from Section 200-82C of the Zoning Ordinance of the Village of Ardsley for proposed installation of new double-sided signs in the front yard of the premises, where freestanding signs are not permitted in the non-residential zone; and

WHEREAS, this application is made under the authority of Sections 115-6 and 200-97, Subdivision B of the Zoning Ordinance of the Village of Ardsley, affecting the premises known as 891 Saw Mill River Road, Ardsley, New York and designated as Section 6.10, Block 1, Lot 3, which is within a B-2 Special Business District; and

WHEREAS, a public hearing on this application was held by the Ardsley Zoning Board of Appeals at the Municipal Building, 507 Ashford Avenue, Ardsley, NY on December 28, 2022 after due notice by publication, with that public hearing adjourned at subsequent meetings and continued on April 26, 2023; and

WHEREAS, at the hearing, all those who desired to be heard were heard and their testimony recorded; and

WHEREAS, this Board, after carefully considering all testimony and the application, and 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) there will not be an undesirable change in the character of the neighborhood or a detriment to nearby properties if the variance is granted, in that the proposed sign is replacing an existing sign with generally similar dimensions. The existing sign, supported by two 8" x 8" poles, is 25' 2" tall and has an overall width (including the poles) of 89". The proposed sign, to be supported by one 12" x 12" pole (partially concealed within the top panel), will be 25' tall (2" less) and have an overall width (including the pole) of 74 3/16" (14 13/16" less);
- (2) the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue in its reasonable use and possession of the premises, as the property continues the current use as a gasoline station and convenience store needing the sign as identification to customers;
- (3) the requested variance is not substantial, as stated above regarding the overall sign dimensions. The existing sign has a total panel area of approximately 48 square feet, not including an empty space created in 2011 when the square "Gulf" logo was replaced by the current rectangular "Mobil" logo. Prior to that replacement the total sign area was approximately 70 square feet. The proposed new sign, with a rectangular "Mobil" logo, logos for Chestnut Market and Synergy Fuel Technology, and four price displays, is approved for a total area of no more than 75 square feet, a minimal increase from the pre-2011 size. This approval is conditioned on the sign illumination being limited to the hours of 6 am to 10 pm daily and on the submission of engineer-approved drawings of the support pole and sign panels to the Building Inspector;
- (4) the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood and therefore does not change the overall character of the premises relative to neighboring properties, and the new sign will not appear to meaningfully impact other property owners, if at all; and
- (5) the circumstances requiring the variance were not self-created, as the applicant is only seeking to modify the sign in compliance with Mobil's signage standards.

NOW THEREFORE, be it resolved that the application of NJ Energy Realty LLC, 891 Saw Mill Rover Road, Ardsley, New York is granted, subject to the conditions of submission of engineered drawings to the Village Building Inspector and limitation of illumination hours, as specified in sub-paragraph (3) above.

PROPOSED BY:	Mr. Michael Wiskind, Chair	
SECONDED BY:	Dr. June Archer	
ROSTER:	Mr. Michael Wiskind, Chair –	AYE
	Mr. Jacob E. Amir –	AYE
	Dr. June Archer –	AYE
	Mr. Mort David –	AYE
	Mr. Serge Del Grosso –	AYE