

**VILLAGE OF BALDWINSVILLE**  
**ARCHITECTURAL REVIEW BOARD MEETING MINUTES**  
**Monday, October 2, 2006, 7:00 P.M.**  
Approved 11/6/06

**PRESENT:** David Mott, Chairman  
Dean Johnson  
Connie Taft  
Toni Kleist

**NOT PRESENT:** Robin Augello

**ALSO PRESENT:** Susan LaQuay, Secretary

**GUESTS:** Jim Patel, regarding 85 East Genesee Street  
Robert Berry, regarding 85 East Genesee Street  
Christopher MacDonald

The meeting was opened by reciting the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Upon motion by Chairman Mott and second by D. Johnson that the minutes of the September 5, 2006 meeting of the Architectural Review Board be approved as submitted. Motion passed.

**OLD BUSINESS**

**85 East Genesee Street, S & G Wine and Liquor - sign ...**

Mr. Robert Berry, manager of S & G Wine and Liquor, and Mr. Jim Patel, owner, are present to address the Board. They have submitted a new application with a new sign design. This new application proposes neon channel lettering to be placed on the building.

The remaining minutes for this application will be verbatim as follows:

Chairman Mott: Are there any comments before I move forward on this?

(There were none.)

Chairman Mott: I have some comments on this. I don't know whether I should wait until before or after we vote on this. I'm inclined to go ahead and open this up. We have had many discussions so far at this point on these signs and it is even in the minutes that we have discouraged you from doing this again and it seems every time you guys come in front of the Board that we move farther and farther away from what the goal is rather than moving closer and closer. We are at our fourth meeting now and we couldn't be farther away at this point. Maybe you have the impression that we were going to approve neon, but that was in the context of somehow lighting that existing design for that particular permit. I know we made comments as to neon channel in the specific language, not neon channel but neon in general, that we were willing to make some concession to get you lighting on the sign pole out in front at the street. I just would like to know, are we going to keep going farther and farther

apart here or is there any possible chance for discussion on this? I can put this up for a vote, but...

Mr. Berry: We came to Board the first time around, presented our idea and put those signs up. We spent \$2,500 and we put the signs up. They are up there. Whether gooseneck lighting is involved or not, they're going to be invisible even in the daytime. You cannot see the signs. We are too far from the road to have that small of a sign. On the building, the size of the sign and the specs that we were understanding, it is invisible from the road on the pole. You can't see it. You have said so yourself. You said it does not look good as well. We are trying to come up with something different. We brought to you something that was far from gaudy, that looked good, that went with the rest of the surroundings, wouldn't offend the neighbors, and you shot it down three times in a row. We are coming to you with a new idea. We were told specifically that channel lettering is allowed. It is not disallowed.

T. Kleist: No.

Mr. Berry: You certainly did because you said you didn't want to see it, but it is allowed. You said so.

T. Kleist: I said it didn't have a plexi-glass front on it.

Mr. Berry: It doesn't. Our channel lettering does not have a plastic front on it. It's just like Cole Muffler's, exactly like Cole Muffler's other than it says the word "LIQUOR."

T. Kleist: Cole Muffler's, you have to realize, is grandfathered in.

Mr. Berry: I understand that. We asked if that was going to be a problem. You said you didn't want to see it, but it is allowed.

T. Kleist: No. I never said it is allowed.

Mr. Berry: We are getting nowhere here because we are getting ...

Chairman Mott: This is why we have a legal steno at the meeting to make sure these notes are taken properly.

Mr. Berry: I'm sorry, but what you folks want for the area we are in is absolutely ridiculous. I am sorry, but it's ridiculous. You are asking us to put up a mute sign against businesses that have everything we want. Are you going to ask them eventually to change all that stuff?

Chairman Mott: At this point, here are your options. You can abide specifically and directly with the code or you can work with us.

Mr. Patel: The last time we came, everybody agreed that we are allowed to do channel lettering. Look in the minutes.

Chairman Mott: There is nothing in here that says you are allowed. As a matter of fact, comments were made that says there is no guarantee we would approve that.

Mr. Patel: This looks like this is discrimination against me and my business.

Chairman Mott: No. It may to you, but we've had four cases in a row...

Mr. Patel: The issue is nobody has had to this many times come for a sign. No other business came here four times in 12 months.

Chairman Mott: We can put this to a vote now or we can discuss this.

Mr. Berry: Let me ask you, what do you folks want to see for a sign? What would you prefer us put up for a sign?

Chairman Mott: That's not our decision. What we have are guidelines and you haven't met one of them. Every time we have tried to work with you to help meet those guidelines.

Mr. Berry: What you want is a double-sided wood sign with raised letters and gooseneck lighting. That is a mute sign in that area.

Chairman Mott: We are not here to promote your business. We are here to promote the Village of Baldwinsville.

D. Johnson: The sign could be done with contrasting letters. What you have now is a light color on a light color and you can't see it. I think the same sign as you proposed as an internally lit sign could be done as a painted sign and flood lit from above.

Mr. Patel: The last time we were here you said channel lettering is allowed. That's why we brought this. This is totally wrong. You guys change your statements just like everything else.

Chairman Mott: (looking at the minutes) Right here, exactly. I know it is in here because I recall it specifically.

T. Kleist: Page 4.

Chairman Mott: Page 4. "...channel letters are not automatically going to be approved. She (T. Kleist) stated they will have to apply for this specifically. She (T. Kleist) noted she would rather have the sign proposed in the current application on the pole than channel letters on the building." The recommendation for neon was for the pole sign to enhance the sign to bring it forward for you so that it would be lit rather than having an internally lit sign. That was the context of that conversation.

Mr. Patel: We are very confident that you did say that the channel lettering is approved. That is why we found the person who does the channel lettering and that is why we came with this. This time it is nothing you don't allow. That is what you wanted last time and that is why we came up this time. Now this time you are saying we tried to work with you.

Mr. Berry: We are trying to bring our business visibility.

Chairman Mott: We know what you are trying to do.

Mr. Berry: Gooseneck lighting on a wooden sign against neon and backlit signs all the way around us...I'm sorry, but it's mute. It's ridiculous to even ask us to do something like that.

Chairman Mott: You have the choice of taking this to the Board of Appeals.

D. Johnson: We did offer to consider neon lettering on the pole sign.

Mr. Berry: We also discussed that that is far from being efficient energy-wise in today's day and age. It's expensive to repair and to maintain.

Chairman Mott: We can sit here and talk all night...

Mr. Berry: Sure we can. I'm looking at a business owner who is trying to save money and trying to have this look decent and stay decent with the Village. Ugly neon, I'm sorry. Do you want Las Vegas? Then let's turn the Village of Baldwinsville into Las Vegas.

Chairman Mott: But that is what you have just proposed. I'm holding that against your own words.

Mr. Berry: I'm just saying here is neon like you asked. It is exactly what you asked for. You said we can use neon and okay, we're using it now.

Chairman Mott: You're incredibly incorrect. This (application) was not at the last meeting.

Mr. Berry: We talked about it. We had nothing visual because there was nothing drawn.

Chairman Mott: The neon that we talked about was on a completely different sign in a completely different location on a completely different part of the property. I feel that what you are doing is you are wasting these people's time (the ARB Board Members). I am a Village Board Member so I have to be here, but these people volunteer. You have the guidelines. You have the specifications. If you are going to bring another application in front of the Board, it is going to need to follow the guidelines and specifications at this point. If you want to take any one of these applications and file for an appeal, you are more than welcome to. That is why we have the appeals process.

Mr. Berry: I think we will take our original application for appeal.

Chairman Mott: You have that right.

Mr. Berry: We'll do that.

Chairman Mott: Again, you can rescind this (application) or I can put it up for a vote.

Mr. Patel: This is crazy.

Mr. Berry: You're talking about us wasting your time.

Chairman Mott: Our discussion last time was about the last permit, which had nothing to do with this permit. This is a completely separate application.

Mr. Patel: You guys said that channel lettering was approved and now it is unapproved.

Mr. Berry: You said the Board does not want to see that.

Chairman Mott: It's specifically stated here.

Mr. Berry: The next meeting I'm coming to I'm bringing a dictaphone with me so there will be no question.

T. Kleist: We have everything down here.

Chairman Mott: This is a legal forum.

Mr. Berry: I understand that.

C. Taft: All the minutes have been taped. It's right on the table here.

Mr. Berry: This is ridiculous...what you folks want.

Chairman Mott: If anything is suspect, it's some of the treatment and the misinformation that you have provided here. You have provided an enormous amount of false information in a legal forum.

Mr. Berry: You lost me. What misinformation have we provided that is ... ? We're getting our information from you folks and that's what we're going by to try to get a sign up. That's all we want is to get a sign up that is going to be seen.

Chairman Mott: If you want to get a sign up, then meet the specifications that the Board has to approve it by.

Mr. Berry: I did that once

Chairman Mott: And it was passed.

Mr. Berry: Yeah...and no one can see my business. That's why we came back. So that should tell you something.

Mr. Berry: (to Mr. Patel) I think we need to take the next step, what we talked about earlier. Okay, because we are getting nowhere fast here. This is absolutely ridiculous.

Chairman Mott: I'll make a motion. (as follows)

Upon motion by Chairman Mott to approve this sign for 85 East Genesee Street, S & G Wine and Liquor as submitted by the Applicant. There was no second to the motion and, as such, the application is denied.

**Motion denied.**

Chairman Mott: The next meeting is the first Monday of the month, November 6<sup>th</sup> at 7:00. Applications must be in within the two weeks before.

#### **OTHER BUSINESS**

Mr. Chris MacDonald sat in on meeting to get idea of what ARB is looking for and will be bringing an application in before the Board in the future. Chairman Mott stated he hopes the previous issue at tonight's meeting does not discourage him. He reviewed the guidelines and examples of styles and lighting the Board is looking for.

Upon motion by Chairman Mott and second by C. Taft, the meeting was adjourned at 7:30 p.m. The next Architectural Review Board meeting is scheduled for Monday, November 6, 2006 at 7:00 p.m.

Respectfully Submitted,

Susan A. LaQuay  
Architectural Review Board Secretary