

“Minutes are not official until approved by their respective board.”

TOWN OF FALLSBURG ARCHITECTURAL REVIEW BOARD MEETING

August 4th, 2016

In attendance: Joe Lucchese, Chairman, Brian Manown, Menachem Fruchter, Bernie Deutsch, Board Members, George Sarvis, Town Code Enforcement.

- Joe Lucchese called the meeting to order at 7PM.
- A vote was made to review the minutes of the previous meeting.

NEW BUSINESS:

1. CUTLER'S COTTAGES – SBL# 60-1-2 – Requests approval to install an entrance sign. Zone: REC-1. Location: 117 LaVista Dr., So. Fallsburg.
 - No representative.

2. GREENWOOD PARK RESORT – SBL# 60-1-79.1 – Requests approval for an entrance sign. Zone: REC-1. Location: 4830 Rt. 42, So. Fallsburg.
 - Mier Farkas represented.
 - Mier Farkas: It is an entrance sign, double sided. It is 2 signs. One by entrance 1. Entrance 2, both entrances. There will be safety mirrors, the drivers will know where to go.
 - Joe Lucchese: Will it be lit at all?
 - Mier Farkas: There is a light over there above the existing light.
 - Bernie Deutsch: So it won't have its own light shining on it?
 - Mier Farkas: There is a street light over there. It's not that dark at the entrance. There are reflectors.
 - Bernie Deutsch: So it's not replacing the Greenwood Forest sign there?
 - Mier Farkas: It is replacing that.
 - Bernie Deutsch: In the same spot?
 - Mier Farkas: That is correct.
 - Joe Lucchese: It is 4 by 4. This is 8 foot high?
 - Mier Farkas: It is 8 by 6.
 - Joe Lucchese: The sign itself is 48 by 36. What is 8 feet?
 - Mier Farkas: 8 feet is the post.
 - Joe Lucchese: 8 feet from the ground.

- Brian Manown: This is the ground?
- Mier Farkas: Yes.
- Brian Manown: So it is 8 feet high.
- Joe Lucchese: So the post is 8 feet high. 30 inches below grade.
- Bernie Deutsch: The 4 by 4 is dug into the ground?
- Brian Manown: This only 5 and a half.
- Menachem Fruchter: Half on and....it's half in the ground and half above it, correct?
- Mier Farkas: 3 quarters of the sign is in the ground.
- Brian Manown: 2 and a half in ground, 5 and a half above it.
- Joe Lucchese: The sign is painted with vinyl lettering?
- Mier Farkas: It should be PVC.
- Joe Lucchese: This says brown and off white.
- Mier Farkas: It is a plastic cover.
- Brian Manown: Where is Greenwood Park?
- Mier Farkas: When you past Elpine, past 42 and Heiden.
- Brian Manown: The whole thing is still in Fallsburg?
- Bernie Deutsch: It's almost at the limit of the town of Fallsburg. It only goes a little higher near the top of the hill.
- Joe Lucchese: So it is perpendicular to the road. It's double sided. Will it be planted below?
- Mier Farkas: There will probably be a bench and some bushes to make it nice and presentable. Nothing in the plan currently.
- Brian Manown: What is the existing light for? It is a town light?
- Mier Farkas: It is my light, just to light up the entrance. It is dangerous at night so it lights up the entrance. It just happens to be in the same location.
- Brian Manown: It just wasn't meant for signs.
- Mier Farkas: They did 1 post and the 1 post was the sign and the light.
- Brian Manown: What is the light mounted on?
- Mier Farkas: A 1 and ½ inch metal post, 2 metal posts coming up and 1 comes a little higher, and the other finishes with the sign. I am taking it all, except for the light.
- Brian Manown: The light will remain on an existing metal pole.
- Mier Farkas: That is right. Eventually we redo the whole entrance and then we will do a new light.
- Joe Lucchese: So both entrances do have an existing light.
- Mier Farkas: Yes.
- Joe Lucchese: How is it fastened to the posts?
- Mier Farkas: L brackets.
- Brian Manown: Do you have the 911 address?
- Mier Farkas: There is no 911 address for Greenwood. Every unit, there are bungalow colonies and communal associations.
- Menachem Fruchter: If you put it into GPS, what's the address?
- Mier Farkas: A lot of addresses.
- Bernie Deutsch: There should be a main address.
- George Sarvis: There will always be a 911 address for the property itself, only if this is a coop.
- Mier Farkas: It's a coop.
- George Sarvis: It should have the blue 911 sign out by the road and each unit number should have an orange or a blue sign on it indicating the unit number. If you are an EMT

coming up in the morning, you found your address and now you find your unit number. When we do new developments now, when you pull into the driveway we have 2 signs that say units 1 through 30 this way, units 31 through 55 this way so the fire department and emergency responders know which way to go.

- Mier Farkas: They say what we...
- George Sarvis: That is when they are before the Planning Board and getting approvals. They can always do one that is inside.
- Bernie Deutsch: They can still get 911 for this sign, there should be a main one.
- Mier Farkas: I'm not sure I have a 911 address.
- George Sarvis: Every property in Sullivan County has one.
- Mier Farkas: The opening has a 911 address, not unique ones only?
- George Sarvis: You have 1 911 address and each unit should have its own unique one.
- Mier Farkas: Where do I find my 911 address?
- George Sarvis: The County Planning Board.
- Brian Manown: The reason we ask is should you want to include that on the sign, how will you do that? Have you we done number vertically?
- Bernie Deutsch: Yes.
- Mier Farkas: You have the two chains coming down, then it would be Route 42. Something like that.
- Brian Manown: That would be the most visible.
- Bernie Deutsch: What's the color scheme?
- Joe Lucchese: Brown and off white.
- Bernie Deutsch: Just like it shows here. Okay.
- Brian Manown: With the addition of a 911 number, hanging on both sides.
- Bernie Deutsch: Do you have a sign for an entrance 2.
- Mier Farkas: Yes I have an existing sign.
- Bernie Deutsch: That would probably be the same 911 address.
- George Sarvis: It would be. Did the addition of this number, will you have a blue reflective sign stuck to the bottom of it? The County calls for reflective numbers.
- Brian Manown: Will that clash?
- Mier Farkas: Do I have to have a blue sign? Can it just be brown?
- Joe Lucchese: But it will hang down on chains.
- Discussion.
- George Sarvis: When you come in for the sign removal, we'll get you through it.
- Bernie Deutsch: Blue background with white lettering.
- Mier Farkas: I know I need blue background for the house, does the address sign, it needs to be blue?
- Joe Lucchese: Yes the 911 sign has to be blue with white lettering, reflective..
- George Sarvis: With reflective materials.
- Mier Farkas: Someone from the office will have the blue signs.
- George Sarvis: Someone from the Fallsburg Fire Department sends them out.
- Brian Manown: If you don't want it here, you would maybe put it vertically over here on one of the other posts if you didn't want it to be a part of your signs.
- Bernie Deutsch: That would require 4 signs, 1 in the front and 1 in the back.
- Brian Manown: It would require 1 on each side of the post. It is supposed to be double sided.
- Bernie Deutsch: So it is 1 sign double sided, that is the difference.
- Joe Lucchese: It is more cost effective.

- Brian Manown: Less attractive maybe.
- Mier Farkas: I would rather go forward with the posts. It would be a nice brown with chains coming down.
- Brian Manown: I think the blue would look odd.
- Joe Lucchese: It is the 911 address, every building has to have it, no matter what color the sign is it has to be blue and white.
- Bernie Deutsch: That's what it is so you can identify it right away. That's the 911 address.
- Joe Lucchese: I'd rather have it here rather than here where you may eventually have...
- Brian Manown: Or center it right up here with the sign. He was saying there could be a bush here.
- Mier Farkas: Over here it is not part of the sign, just on a post.
- Joe Lucchese: Okay so it is attached to post. Okay. The other sign is not made yet? You haven't made any yet.
- Mier Farkas: That's why we are here.
- George Sarvis: Can I ask for clarification? This sign size is what you're approving, it is going to be 2 posts, is it parallel to the road, is it 2 sided?
- Brian Manown: Perpendicular to the road.
- George Sarvis: Alright.
- Brian Manown: 2 sided.
- George Sarvis: With the 911 sign on post halfway up, halfway down.
- Brian Manown: Centered right here.
- Bernie Deutsch: Front and back of the post.
- Brian Manown: No lights, just residual from the driveway light.
- Mier Farkas: It will be reflective
- Brian Manown: Everything will be reflective.
- Joe Lucchese: So it will be on the side closer to the road.
- Brian Manown: Whatever side is closer to the road.
- Mier Farkas: It depends which way you are coming.
- Joe Lucchese: Exactly.
- Bernie Deutsch: Same post.
- Mier Farkas: If you look at it now, one should be on this way and the other should be on this side.
- George Sarvis: I know that the sign has the L brackets, they have 3 little holes and the L brackets on the sign, it would be shown on both sides, it would just be mounted to the pole just like the sign itself.
- Bernie Deutsch: He is mounting them on L brackets.
- George Sarvis: 6 by 9 sign.
- Bernie Deutsch: He said he would use L brackets to mount the sign. Is this going to be finished 4 by 4?
- Mier Farkas: Yes brown wood.
- Bernie Deutsch: You'll finish it in a brown.
- Mier Farkas: Yes. To exactly like it is in the picture.
- Brian Manown: L brackets like 1,2,3, 4?
- Mier Farkas: Yes.
- Brian Manown: Are they decorative?
- Mier Farkas: No.
- Brian Manown: They're just hardware.

- Mier Farkas: You don't see it under 6 feet, the bracket. It is completely brown.
- Joe Lucchese: Okay.
- Menachem Fruchter: I'll make a motion to approve the Greenwood Park entrance 1 and 2 with the additional 911 address that will be connected to the sign post.
- Joe Lucchese: Centered on the sign. I will second that.
 - MOTION:
 - Menachem Fruchter makes a motion to approve the entrance signs with the addition of the 911 address signs centered on the post. Joe Lucchese seconds. All in favor.

3. QUALITY FIRST URGENT CARE – SBL# 41-1-55 – Requests approval for a billboard sign. Zone: REC-1. Location: 476 Davos Rd., Woodridge.

- Miriam and Fima Gordon represented.
- Miriam Gordon: This is our first year up here, the office has been approved for many years. Doctor Galvis just partnered with the urgent care center. We ordered a sign not knowing this had to happen. We ordered it to be 4 feet and we told the contractor to put it up. It turned out that the printing company printed it wrong and it was huge, we did not know about it. We came and there was a big green sticker on it. We would like to put up a sign and we would like it to be the right way. This was the sign, we took it down the next day.
- Joe Lucchese: So it is a blue one, I have a 40 different signs.
- Miriam Gordon: Denise advised me to have the graphic designer to come up with colors just in case you didn't like the original colors.
- Joe Lucchese: This is the one you prefer.
- Miriam Gordon: We would do it in the right size, it was 2 sided. It was on the corner of the property. We would mount it the way was mounted but smaller.
- Joe Lucchese: I have an image of the sign mounted on a fence.
- Miriam Gordon: That's what we put up temporarily. When we took this down there was no way to identify.
- Joe Lucchese: What are the other 3 images I have? There is one in ink?
- Miriam Gordon: Different colors, just in case prefer it the other way.
- Bernie Deutsch: This picture I have here, Brian saw, I don't know if you have it. It shows...this attached to the building, attached to the porch.
- Menachem Fruchter: She said it is temporary.
- Miriam Gordon: Denise told us to email her temporarily what we were doing.
- Brian Manown: Are you right on Davos Road?
- Miriam Gordon: Yes.
- Brian Manown: Is Davos a main...
- Menachem Fruchter: It's a road off one of the main roads of Woodridge.
- Joe Lucchese: It's off of Glen Wild road.
- Discussion.
- Bernie Deutsch: You're almost in town.
- Miriam Gordon: I think the next property over is already Blue Street.

- Bernie Deutsch: You're way down.
- Miriam Gordon: We're the 1st property out of the village.
- Joe Lucchese: How does the sign sit on the property? Facing the street or perpendicular?
- Miriam Gordon: It was set up as a triangle, so if you were coming from this way you saw this part of it, and if you were coming from this way you saw this part of it.
- Joe Lucchese: So it is actually 2 signs.
- Miriam Gordon: It was 2 signs.
- Joe Lucchese: Okay. I couldn't tell that.
- Bernie Deutsch: So you took it off the building...
- Miriam Gordon: It is now laying on the ground. We had it up, somebody was there saw the green, noticed it.
- Joe Lucchese: And that is why you are redoing it, because of the green square.
- Brian Manown: We should be thinking about the size of the sign. Taking that into consideration. I would also take into consideration whether a poster sign or a monument sign is preferred. I think for developments I would only go with a monument sign, this is a business. What else is on the property as far as the business goes?
- Miriam Gordon: Just the clinic.
- Brian Manown: You have a parking lot?
- Miriam Gordon: There is parking in front yes.
- Brian Manown: This is near the parking lot. I brought up the size.
- Bernie Deutsch: 4 by 8.
- Miriam Gordon: That's what we would do, whatever you guys would approve. We were told 32 square feet is allowed, that's why we were thinking.
- Bernie Deutsch: Is this 2 sided?
- Miriam Gordon: It's like a V. It is 2 sided.
- Joe Lucchese: It sits like this. Here is the road, it sits this way.
- Brian Manown: So it is 32 times 2.
- Joe Lucchese: It is 64 square feet.
- Miriam Gordon: That's what we were told.
- Brian Manown: If 32 is the limit.
- Miriam Gordon: 64 is the limit.
- Brian Manown: How did we get to 64?
- George Sarvis: 64 is in commercial district. I will bring up to the board when she is not making a presentation that we need the board to consider and debate and make a decision on what district this is in based on asylum
- Brian Manown: This is the first time in 5 years I have not brought my zoning map with me. It says REC-1. The SBL number indicates...
- George Sarvis: I will say again, absolutely correct, it is a REC-1. Our sign law

only, not zoning, does not specify REC-1, REC-2, HR-1, MX zone. It has 3 distinct districts. Residential, rural agricultural, and commercial. What do you think this is?

- Brian Manown: I don't know, I want to know who made the decision or who will make the decision?
- George Sarvis: I think it is 1 or 2. That's Code Enforcements take on this. 1 or 2. Either Residential, or Rural and Agricultural. It's not a business district, that would be Main Street Fallsburg.
- Brian Manown: Does Mollie make that judgement?
- George Sarvis: 2 in my opinion, it's agricultural.
- Brian Manown: That's an opinion, I need something to hang my hat on.
- George Sarvis: That's where the board has to come in.
- Brian Manown: I don't know the area that well.
- Bernie Deutsch: It's Residential Brian. It's a residential area.
- Brian Manown: So let's call it Residential.
- George Sarvis: If you decide Residential, small professional offices, provided the sign area does not exceed 2 square feet. Rural and agricultural signs advertising business or trade or identifying the location of trade cannot exceed 2 per property, each sign may be no more than 6 square feet. If you open it to the commercial district, then you can have 64 square feet.
- Brian Manown: The consensus here is Residential, 2 out of 4 of us believe that.
- George Sarvis: Residential or rural agricultural?
- Menachem Fruchter: If every house on that block wanted to turn themselves into a store, are they allowed?
- George Sarvis: They would have to go to the Planning Board to get a Home Occupation.
- Menachem Fruchter: The fact that there is one existing, under REC-1 are you allowed to have a business on that road.
- George Sarvis: This one is preexisting and nonconforming, been there a long time.
- Menachem Fruchter: Again, this preexisting business on this road.
- George Sarvis: Business, not business district.
- Menachem Fruchter: But there is a business on that road.
- George Sarvis: There is and it has been operating for a number of years.
- Menachem Fruchter: If the next door neighbor wanted to have a store business in their home.
- George Sarvis: Planning Board approvals.
- Menachem Fruchter: It's zoned commercial, there is a commercial business.
- George Sarvis: No. The zone is REC-1. It's preexisting nonconforming. Grandfathered, been there forever.
- Menachem Fruchter: Then why isn't grandfathered in as a commercial property

and she could have a larger sign?

- George Sarvis: I want to make it clear, you are looking at districts. Commercial district is Main Street Fallsburg. This is a commercial use in a Residential District. You can have a commercial business in a residential zone if you go to the Planning Board to get approvals, or go to the Zoning Board to get approvals for use variances. This is why we have the boards.
- Menachem Fruchter: It is approved already, she has a commercial business there.
- Brian Manown: Yeah that's done.
- Menachem Fruchter: Done for years.
- George Sarvis: The use of the property for a business is established, it happened on a Planning Board many years ago that I am not aware of.
- Brian Manown: In this case it has been established, we are only looking at the application of the side law to the use in a Residential area, not a Residential district.
- Bernie Deutsch: I hear what the Rabbi is saying, I mean we're looking at it right now that it is just resident, if you drove up that road right now, it's just residences right now.
- Brian Manown: I don't think it will be rezoned Business in the future I don't think.
- Menachem Fruchter: I know what she wants, maybe she's fine with 2 signs. I have taken my children to that doctor years ago, and it wasn't a doctor's office or an urgent care center, a 2 by 2 sign isn't going to do it.
- Bernie Deutsch: I agree with what the law says.
- Joe Lucchese: If the Planning Board has already accepted it as a commercial...
- George Sarvis: I don't know that. Many years ago, this is long established.
- Bernie Deutsch: They closed the sign down, the sign was illegal.
- Brian Manown: If it was the last 20 years then yeah it probably had approval from the Planning Board.
- Joe Lucchese: So if they have already established that it is a commercial building
- George Sarvis: They have established that you can put a commercial unit in a Residential District.
- Joe Lucchese: They have established that.
- George Sarvis: No they can, that's what they would approve. If it went to the Planning Board, they would refer you to the Zoning Board, the Zoning Board would say yes you are going to get a use variance and you can have a doctor's office, commercial business, in a Residential Zone. I don't know that to have happened in this case.
- Joe Lucchese: If it has been there for so many years.
- Brian Manown: We are just assuming it happened.
- George Sarvis: Just for the conversation's sake, we're assuming they got a use variance to put a commercial business in a Residential Zone.

- Brian Manown: I'm not going to specify what kind of approval they got, I am going to assume they got approval because they have been there for so long.
- George Sarvis: It doesn't change the zone is all I am saying.
- Discussion.
- Bernie Deutsch: How many businesses do you need in a certain area to be considered commercial or residential?
- George Sarvis: You guys have to make a decision on what size sign.
- Brian Manown: There is a compatibility issue. We have a use which is a professional office, in a REC-1 zone, characterized by the sign law as a Residential area. The compatibility of those three things doesn't jive. We have to figure out a way around that, or just ignore one of these rules and just give her the approval. That's the only way I can see it.
- Menachem Fruchter: During the year it is a very quiet road. The people are coming up from Woodridge to the urgent care, the summer people, are the only people who have to see the sign.
- Brian Manown: Here is what I suggest. Redesign the sign so that if you want it 2 sided, so that the total square footage is back to 32, half the size...
- Miriam Gordon: That works.
- Brian Manown: Otherwise the basic design you have is okay. Do you think you could call enough attention to your business?
- Miriam Gordon: I would be very happy with that at 32 square feet.
- Brian Manown: So each sign would be 16 square feet.
- Bernie Deutsch: You're saying the same way she has that, but just 1 side...
- Brian Manown: I'm saying 2 16 square feet.
- Bernie Deutsch: I like Joe's way better. Have them the same size just perpendicular to the road.
- Brian Manown: I am good either way.
- Joe Lucchese: Or I was going to say have the 4 by 3s, standardize that to the 4 by 3 on the post perpendicular to the road. 2 sided, perpendicular to the road.
- Menachem Fruchter: Put it on with hooks so you can take it off after 10 weeks. It says opened daily, it's not opened January 2nd. Then most of the year you're not seeing it anyway.
- Brian Manown: So it's a removable sign.
- Miriam Gordon: Okay.
- George Sarvis: We have several businesses do that.
- Menachem Fruchter: It won't be a blank thing on the sign on the house.
- Joe Lucchese: So when the sign is removed you just have 2 posts.
- Menachem Fruchter: The sign will last longer.
- Miriam Gordon: Can we stick with 32 on each side or go with 16?
- Menachem Fruchter: You have a back to back sign.
- Miriam Gordon: It can be on both sides? 32?

- Menachem Fruchter: Yes.
- Joe Lucchese: It's 1 piece of word.
- George Sarvis: Brian is saying 32 square feet total. 16 square feet each side.
- Bernie Deutsch: One board or 2? The triangle again?
- Brian Manown: No, it's this kind of sign. It's removable.
- Discussion.
- Joe Lucchese: Not 4 by 8, 4 by 3.
- Brian Manown: Oh this one.
- Bernie Deutsch: 4 by 3? 3 by 4. Joe, 3 by 4.
- Brian Manown: Whatever it is so it is 16 square feet.
- Miriam Gordon: It's basically this. This is 4 by 3, I have it perpendicular.
- Brian Manown: If you want to make it rectangular, so that it is equal.
- Menachem Fruchter: If they are printing it already, put the 911 address on the sign.
- Bernie Deutsch: This one shows it.
- Menachem Fruchter: Okay.
- Joe Lucchese: It doesn't need to say Open Daily, no?
- Brian Manown: We're not even halfway there yet. Do we want her to resubmit her new design?
- Menachem Fruchter: Better than sending an email showing so that we can compare our notes.
- Brian Manown: Otherwise we need to approve the color scheme. Did we do that?
- Joe Lucchese: We did not.
- Brian Manown: What color scheme do you prefer?
- Miriam Gordon: This one.
- Joe Lucchese: Could they be toned down slightly? There is a color palette, Benjamin Moore Historical Colors, that's the base for the guidelines for the town. This is just a few of them, there are many more colors.
- Menachem Fruchter: Any color from here is approved?
- Joe Lucchese: Any color from here is approved. There are more.
- Brian Manown: If you moderated the oranges out of that a little bit, toned it down a bit. It's not specifically for children?
- Miriam Gordon: No.
- Brian Manown: I was thinking you wanted it to be bright and cheerful.
- Bernie Deutsch: Is that an orange or red?
- Miriam Gordon: I think it is reddish.
- Bernie Deutsch: You have a reddish in there Joe? In historical?
- Joe Lucchese: Not really no.
- Brian Manown: Did you design this?
- Miriam Gordon: No.
- Brian Manown: Do you know?

- Miriam Gordon: A graphic designer.
- Brian Manown: Where was the graphic designer from?
- Miriam Gordon: Brooklyn.
- Brian Manown: I'd like to make a comment. This is not Brooklyn, this is a rural area. The Architectural Board has always preferred to see a more rural style, a more rustic style of simple, quaint.
- Menachem Fruchter: Design it by historical colors.
- Miriam Gordon: The historical colors section.
- Joe Lucchese: There are additional colors.
- Miriam Gordon: She did this one, the black one.
- Bernie Deutsch: No black.
- Miriam Gordon: It would be better to do this.
- Menachem Fruchter: Email it to us.
- Brian Manown: Actually what I am talking about is the character of the town.
- Bernie Deutsch: Did you guys see this one?
- Miriam Gordon: The black one.
- Bernie Deutsch: No it's green.
- Joe Lucchese: It's black.
- Bernie Deutsch: That's black.
- Joe Lucchese: Yes.
- Bernie Deutsch: If you did that in green, that would fit in nice.
- Brian Manown: I'm just saying that this style isn't very commercial, if it were a little more...the design itself. It has a lot of information on it.
- Joe Lucchese: You don't need the Open Daily, you don't need the Free Parking because there are no parking lots around here that charge to park.
- Menachem Fruchter: The truth is that the people coming by are coming to you. It's not an advertisement on a main street, it's a quiet block.
- Brian Manown: I would almost put all of this stuff at the bottom and then get rid of this, it's unnecessary.
- Menachem Fruchter: Brian she can email it to us and we can approve it, she doesn't have to come back?
- Brian Manown: I think so, we have done this a number of times before.
- Bernie Deutsch: How do we make a motion?
- Brian Manown: I think there is one more piece. What we have done, how I explained it earlier, you have to put all the combination of all the rules together and maybe ignore one or two, we obviously ignored the Residential rule, should we go with that or is that contingent on the ZBA?
- George Sarvis: I would like to read another line from the Code section. We're kind of agreeing that we are the rural or residential. One being 2 square feet, the other being 6 square feet. Rural agricultural says you can use 2 signs that are 6 square feet. Code Enforcement officer, Planning Board, or Architectural Review

Board shall have the discretionary power to merit any maximum numerical limitation of this chapter to the size of the sign by 25%, while the exception variation does not detract from the purpose of this chapter. Such variation shall require the vote of majority plus 1, if the Planning Board or the Architectural Review board makes the decision. What that is saying is if we use the liberal of the 2 codes, which is 6 square feet. The board has the power to increase it by 25% provided they have the majority plus 1 to do so. What we're talking about here is 32 square feet total, which exceeds 25%. We have to decide whether or not you feel comfortable as a board in overlooking 1 of the rules. You should have a discussion on that.

- Brian Manown: That's what we were about to discuss. We don't have the authority to grant leniency beyond that 25%. This whole discussion is as if we did. The only thing that would restrain us from making the decision and giving it the approval would be to make it contingent on ZBA approval.
- George Sarvis: That would be my take on it.
- Brian Manown: That's just getting really nitty gritty official about everything. I think the ZBA would look at us like we are making too big a deal of this.
- Menachem Fruchter: I think we can figure out something out between us.
- Brian Manown: I am okay with that. They can slap our hands if we are going wrong
- Joe Lucchese: Otherwise it is a 7 and a half square foot sign.
- Discussion.
- George Sarvis: I just want to make sure that you guys are making an educated decision on where you are going, that's my job.
- Bernie Deutsch: You're saying that size plus 25%?
- Joe Lucchese: It would 7 and a half square feet?
- Menachem Fruchter: At the same time we could decide if this is commercial or not.
- Brian Manown: Even if we do that, we are in excess of the 25%.
- Joe Lucchese: You can go up to 64 square feet if we decide it is a commercial building in a Residential zone.
- Bernie Deutsch: We can play with the numbers.
- Joe Lucchese: Yes.
- Bernie Deutsch: This business would be commercial, correct George?
- George Sarvis: The use would be defined as commercial.
- Brian Manown: Personally I don't like using that, off the hook, I know we want to wrap this up and get it done with. I don't like that...
- Menachem Fruchter: It's less vague.
- Brian Manown: It makes sense.
- Joe Lucchese: It'll be next summer before she gets approval.
- Brian Manown: Not if we give approval and the ZBA doesn't challenge us.

- Joe Lucchese: I believe the next ZBA is in September, correct?
- George Sarvis: It will probably be too late to get into this month's.
- Menachem Fruchter: Even if we would say it is commercial, she is willing to reduce the sign to a 4 by 4, 2 signs, correct? And she is willing to have the designer try to make it more appealing to the area, and it will only be up there for a maximum of 3 months.
- Bernie Deutsch: I agree with that as long as it is within the 25% in a commercial area. We have to be careful how we word this.
- George Sarvis: Commercial use.
- Menachem Fruchter: Brian, are we ready for a motion? I'd like to make a motion, after the board sees the rendering of the new colors and design of the sign, if we all agree or the majority agree to that rendering, the size of the sign should be a 4 by 4 two sided sign, perpendicular on the property and the sign will be displayed for approximately for 3 months during the summer season, and removed after the season.
- George Sarvis: Each season.
- Joe Lucchese: And the cause be adjusted within...
- Menachem Fruchter: They're going to send us the rendering, upon our approval.
- Bernie Deutsch: Do we have to say how we came to the decision or just leave it like that?
- Brian Manown: Are you not taking any particular notes about all these other conditions or should we write?
- George Sarvis: I have what I thought was going to be moving forward, 32 square foot tall, 16 square feet each side and rectangular each side.
- Brian Manown: Do we need to add to Rabbi's motion that this decision is made on that basis or consideration that this is a commercial use in a Residential area and we will use the commercial limits of the sign code as part of our decision?
- George Sarvis: If that is what you agree on as board, then it should be mentioned.
- Brian Manown: We will include that in the motion.
- George Sarvis: Just for laughs, we will move forward with the option of seeking Paula Kay's interpretation. Make sure it is legal, or find out that she would say this is not the intended law and that we should do this, that, or the other.
- Bernie Deutsch: I feel good with that motion then.
 - MOTION:
 - Menachem Fruchter motions to approve a 4 by 4, 6 square feet two-sided sign, perpendicular to the property, only upon seeing the new colors and design of the sign, and that the sign will only be open for approximately 3 months during the summer season, and then removed after each season. Brian Manown seconds. All in favor.
- George Sarvis: I believe the worst case is that Paula will say that it should be referred to the ZBA. Your approval for what you have over here, it wouldn't be

hurt by if they deny it, then she can come back next year.

- Bernie Deutsch: Then she will still get the use variance this year.
- George Sarvis: This year is almost over.

Brian Manown motions to adjourn the meeting at 7:55PM. Bernie Deutsch seconds. All in favor.