



December 14, 2022

Town of Lansing Zoning Board of Appeals
PO Box 186
29 Auburn Road
Lansing, NY 14882

RE: Dandy Mini Mart
Area Variance Application
FE Project #2020.062

Dear Judith:


Fagan Engineers & Land Surveyors, P.C. (FE) has been retained by Dandy Mini-Mart to assist in the area variance process for their application for the development of 7 Ridge Road. The following items are included in this submission:

- Eight (8) copies of the proposed sign package,
- Eight (8) copies of the area variance application,
- Eight (8) copies of the justification of request letter, and
- Eight (8) copies of the area variance questionnaire.

We look forward to presenting the area variance request at the January meeting. Thank you again for your diligence and assistance in the process.

Sincerely,

FAGAN ENGINEERS & LAND SURVEYORS, P.C.



James B. Gensel, P.E., CPESC
President

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**Town of Lansing Zoning Board of Appeals
Application for Variance**

Application Fee \$ _____

Application Date 12/12/2022

Property for which Variance is being requested

Tax Parcel No. 31-6-9,10,11,13, 14 Street Address 7 Ridge Rd., Lansing, NY 1488

Applicant's Name and Address

Dandy Mini Marts, Inc./Duane Phillips
6221 Mile Lane Rd.
Sayre, PA 18840

Zoning District (check one)

Phone 570-888-4344 R1
Cell 607-857-4337 R2
Email dphillips@godandy.com R3

(If Applicant different from owner, notarized written permission of owner must be attached hereto.)

Owner's Name and Address (if different)

Phone _____
Cell _____
Email _____

B1
B2
L1
RA
IR

Application for (check applicable item)

- A. Interpretation of Zoning Ordinance or Map
- B. Area Variance
- C. Use Variance
- D. Appeal of decision of Code Enforcement Officer

Request relates to provisions of (check applicable item)

- A. Town of Lansing Land use Ordinance, Section _____
- B. Town of Lansing Subdivision Regulations, Section _____
- C. Other (Identity) Town of Lansing L.L. No. 1 (Sign Law) Commercial Sign District

Purpose of Request: (attach additional information if necessary)

To obtain permission for additional signage, beyond that permitted by the Town of Lansing's "Sign Law" (§ 210) at Dandy's proposed facility on the corner of Ridge Rd. and E. Shore Dr. Dandy's request aims to uphold the overall "Purpose" of the Town's Sign Law (§ 210-2) by properly identifying our place of business in a manner that tastefully enhances the area and aids the flow of traffic.

Justification of Request: (attach additional information if necessary)

Please refer to the attachment.

All Applicants for Variances shall please read the following:

The Board of Zoning Appeals may grant Variances from the provisions of this Ordinance, only where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or where by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, or where by reason of other extraordinary or exceptional circumstances, the strict application of the requirements of this Ordinance would result in practical difficulties to, or undue hardship upon, the owner of this property, and further provided that this relief may be granted without substantially impairing the intent and purpose of this Ordinance. In granting a Variance, the Zoning Board of Appeals may attach such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this Ordinance will be served, public safety and welfare secured and substantial justice done. However, the Board of Zoning Appeals shall not be authorized to grant a density Variance or a Use variance to permit a use in a district in which the use is prohibited.

Incomplete Applications will not be considered.

Applicant / Agent must be present at the Public Hearing. This Application, accompanying fee and all supporting documents must be submitted to the Zoning Administrator no later than two (2) weeks prior to the date that the request is to be considered. See Schedule of Meetings at www.lansingtown.com

PURPOSE OF REQUEST:

To obtain permission for additional signage, beyond that permitted by the Town of Lansing's "Sign Law" (§ 210) at Dandy's proposed facility on the corner of Ridge Rd. and E. Shore Dr. Dandy's request aims to uphold the overall "Purpose" of the Town's Sign Law (§ 210-2) by properly identifying our place of business in a manner that tastefully enhances the area and aids the flow of traffic.

JUSTIFICATION OF REQUEST:

The property's physical location, unique construction, and Dandy's brand image concessions justify the need for additional signage at this site.

The property's corner location will have two main entrances. One on Ridge Rd. and another on E. Shore Drive. To reduce the distraction of a single sign at the main intersection, Dandy is proposing two freestanding monument signs be installed at each entrance of the property. These illuminated signs will help define the property's entrances, during both day and nighttime hours, safely directing vehicular travelers onto the site without the need for additional wayfinding signage. To enhance the aesthetic of these monument signs they will be mounted atop a stone base and be well under the Sign Law's maximum sign height of 15'.

Development of this site Incorporates a great amount feedback from the Town Board resulting in a "unique to Dandy" construction consisting of three main customer entrances into the building. A typical new construction for Dandy has one main customer entrance and secondary side entrance. With three main building entrances we have mirrored our standard sign package, consisting of two simple signs on each. The illuminated Dandy logo safely directs pedestrian traffic to the entrance and the PizzaCafeDeli channel letters inform consumers that Dandy has a full-service restaurant offering, helping to break the "just a gas station" stereotype. The installation of these signs on the building also helps the aesthetic of an otherwise plain brick wall as they are framed in with decorative brick and classic styled awnings.

Lastly, in consideration of granting this area variance request, please note that Dandy has willfully made several concessions to our typical branded sign package, building façade, and site design to work with the community in which we look to serve. We've removed standard twin pole signs with LED digits and LED message centers, there will be no branding on the fuel island canopies, no large fields of red around our building entrances, no awnings with graphic representations of food and drink. We respect the historic character of the town of Lansing and look forward to building a site that adds to it.



December 13, 2022

Town of Lansing Zoning Board of Appeals
Attn: Chair Judith Drake
Post Office Box 186
29 Auburn Road
Lansing, NY 14882

RE: Dandy Mini Mart
Area Variance Application
FE Project #2020-062

Dear Chair Drake:

Dandy Mini Mart (the Applicant) is proposing to construct a 6,100 square foot commercial building with fueling islands at the following parcel:

- NYS Route 34B (Ridge Road), Lansing, NY 14850

Through the Town of Lansing site plan approval process, the Applicant proposes to construct a 6,100 square foot commercial building with fueling islands on the southwest corner of the intersection of NYS 34 and NYS 34B. The above-mentioned parcel is currently zoned Commercial Mixed Use and Commercial (B1 and B2) and the proposed action is a permitted use within the Town of Lansing Zoning Ordinance.

In order to achieve the proposed design and to utilize the unique property, the following relief is being requested from the Town of Lansing Zoning Ordinance:

- §210-5 (C-1) – Illuminated signs shall not be lit or illuminated from one hour after sunset until sunrise each day; except that business identification signs may remain lit or illuminated during normal business hours.
 - **Proposed signs will be lit until typical closing, which is around 11 PM. No variance is required.**
- §210-5 (I-1) – For all commercial activity signs and other commercial and business signs, no more than two signs shall be allowed per each premises and the area of each such sign shall not exceed the maximum allowed area for each such sign as based upon its use and location and the requirements of this chapter.
 - **Proposed sign package includes eleven signs. The signage on the three canopies has been removed during the Planning Board process.**
- §210-8 (A) – Commercial Signs shall not exceed 48 square feet.
 - **Proposed monument sign is 113.5 square feet (56.75 sf per side).**

Please see the following answers to the five required area variance questions below and attached plans for supporting documentation:

(i) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

An undesirable change will not be produced in the character of the neighborhood. The proposed sign package was developed to respect the historic character of the Town of Lansing and in consultation with the Town Planning Board and Staff. Standard twin pole signs with LED digits and LED message centers, typical branded fuel island canopies, and awnings with graphic representations of food and drink were all removed from the Applicant's typical sign package. This would allow the proposed project to fit better with the community, and at the same time allow the Applicant to show what is offered at this location. It should be noted that the removal of a branded fuel canopy was not required of the other similar site within the Town that received variances. It should also be noted that the Applicant made significant architectural changes based on Planning Board input.

(ii) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

The benefit sought by the Applicant cannot be achieved by other than by an area variance. The Applicant has reduced their typical sign package to the greatest extent possible. Certain minimal signage must be used in order to provide adequate information to the travelling public for the three uses (fueling, restaurant and grocery) that are part of this project.

(iii) Whether the requested area variance is substantial;

The requested area variance is substantial. However, to develop a customer base Dandy must show minimal signage that can be seen by the passing traffic. A driver will not stop at a fueling station without seeing what the prices are beforehand or if other conveniences are provided. Most drivers compare different fueling stations to ensure that they are getting the best price. At the same time, the Applicant will showcase what is offered inside the store. This is necessary since there are essential three different products (fuel, restaurant and groceries) that need to be depicted for the travelling public.

(iv) Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

The proposed area variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. As stated previously, the sign package proposed has been minimized to the greatest extent possible. The signs proposed are specifically used for safety reasons. The signs show where the pedestrians are supposed to enter the building, where vehicles can go to use the drive-thru, and how to enter and exit the property. The signage is internally illuminated and in accordance with Town illumination requirements.

(v) Whether the alleged difficulty was self-created, which consideration shall be relevant to the board's discussion but shall not necessarily preclude the granting of the use variance.

The alleged difficulty was self-created however the unique characteristics of the project dictate the need. The site is a corner lot with a building oriented to face the intersection as per discussions with the Planning Board. Essentially that creates three "front" doors


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Ms. Judith Drake
December 13, 2022

to the building with two site access drives. The use of monument signs are preferred to maintain the character of the neighborhood, however that reduces visibility for the required fuel pricing as opposed to a tall freestanding pylon sign. Therefore, two separate monument signs are required with one at each entrance. As stated before, the proposed sign package was designed to showcase what the commercial business has to offer for the customer while being respectful to the historic character of the Town of Lansing.

Our package includes instructional signage that is typically not regulated under sign code (i.e. Drive-Thru Menu, Dispensers, etc.). We have included dimensions of those items for informational purposes. If you have any questions or comments, please feel free to contact me at (607) 734-2165, ext. 220.

Sincerely,

FAGAN ENGINEERS & LAND SURVEYORS, P.C.



James B. Gensel, P.E., CPESC
President

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TOWN OF LANSING tolcodes@lansingtown.com PH. (607) 533-7054

29 Auburn Road
Lansing, NY 14882

TAX MAP # 31-6-9, 10, 11, 13, 14
DATE:

Sign Application

Applicant's Name: Dandy Mini Marts, Inc.
Mailing Address: 6221 Mile Lane Rd. City: Sayre, PA Zip: 18840
Telephone#: 570-888-4344
Property Owner: Dandy Mini Marts, Inc.
Owner's Address: 6221 Mile Lane Rd., Sayre, PA 18840

Address of Project: 7 Ridge Road, Lansing NY, 14882
Description of work to be undertaken: Installation of ten (10) wall mount signs to four (4) sides of new Dandy PizzaCafeDeli, and two (2) free standing signs at the two (2) main entrances.

Estimated Construction Cost: \$100,000
Contractor/Installer: RAPP Signs / Greene, NY Phone: 607-656-8167
Type of Sign: Wall mounted & Free standing
Free standing Sign Height: 8'
Sign Size (Dimensions): Please refer to sign proposal
Plot Plan/Location of sign: Please refer to sign proposal
Lighted Sign? Yes
Highway ROW permission (State, County, Town) Town

The undersigned applies for a permit for the construction as described, in accordance with all provisions of all Laws or Regulations of the Town of Lansing, New York, or others having jurisdiction, and affirms that all statements and information given above are correct to the best of his knowledge and belief, and hereby authorizes the Code Enforcement Officer of the Town Lansing, or his designee, to conduct on site inspections to ensure that work is carried out in accordance with all applicable codes.

Owner's Signature: 

(Office Use Only- Do Not Fill Out Below Dotted Line)

Occupancy Class: _____ Construction Type: _____ Hazard: _____

CONDITIONS & PERMITS	VERIFIED OR ISSUED
Town Zoning _____	_____
Workers' Compensation _____	_____

Sign Permit: Approved Received Permit Fee of: \$ _____

Denied Sign Permit # _____

Reason: _____



Dandy Pizza Cafe Deli

Convenience Store

Signage Proposal

7 Ridge Road, Lansing NY, 14882

TAX MAP PARCELS 31-6-9, 10, 11, 13 and 14



South Elevation

- 1) **Wall Mount - Main ID - Dandy Logo - Illuminated**
7'w X 7'h Circle= 38.5 sq/ft
- 2) **Wall Mount - PizzaCafeDeli - Illuminated**
9'6" w X 1'1" h = 10 sq/ft



North Elevation

3) Wall Mount - Main ID - Dandy Logo - Illuminated

7'w X 7'h Circle = 38.5 sq/ft

4) Wall Mount - PizzaCafeDeli - Illuminated

9'6"w X 1'1"h = 10 sq/ft

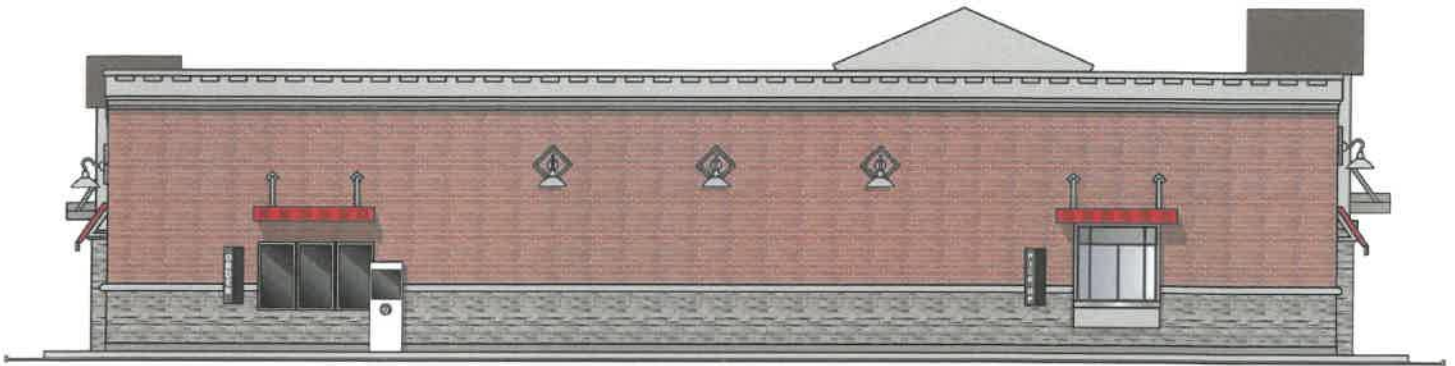


East Elevation

- 5) **Wall Mount - Main ID - Dandy Logo - Illuminated**
7'w X 7'h Circle= 38.5 sq/ft

- 6) **Wall Mount - PizzaCafeDeli - Illuminated**
9'6" w X 1'1" h = 10 sq/ft

- 7) **Wall Mount - Informational - Drive Thru - Illuminated**
7'w x 1'6" h = 10.5 sq/ft



West Elevation

8) Wall Mount - Informational - Order - Non Illuminated

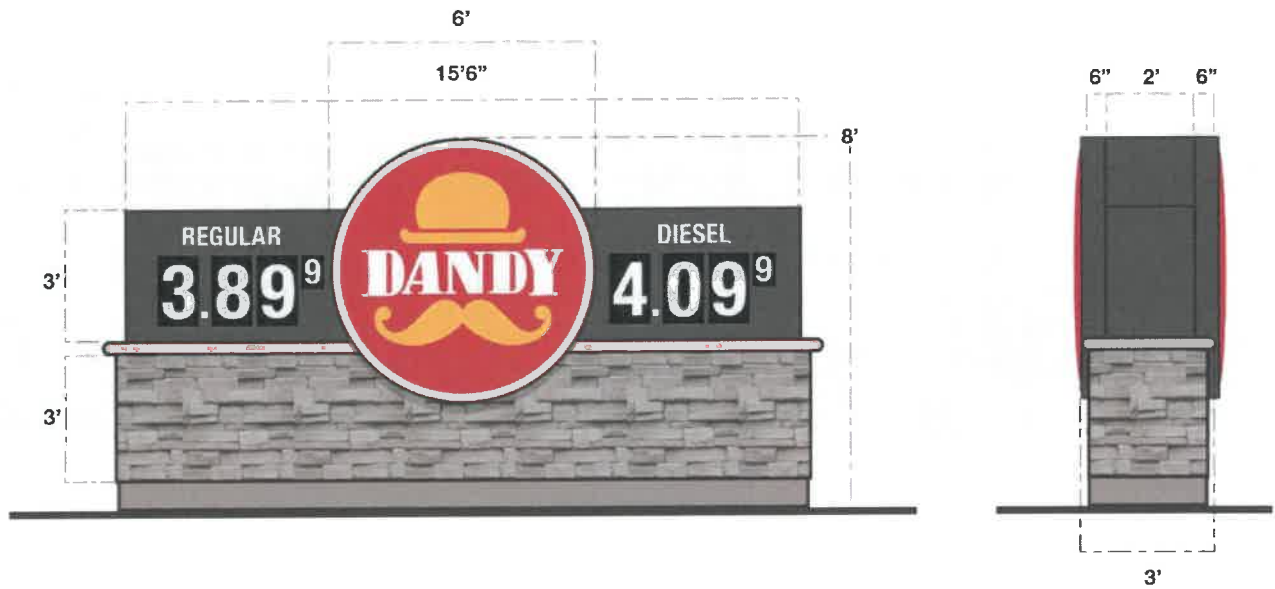
4' x 1'h = 4 sq/ft

9) Wall Mount - Informational - Pick Up - Non Illuminated

4'w X 1'h = 4 sq/ft

10) Wall Mount - Digital Drive Thru Menu - Illuminated

8'w x 4'h = 32 sq/ft



Main Entrances

11) Free Standing Monument - Illuminated - Double Sided

a) Dandy Logo: $6'w \times 6'h = 28.25 \text{ sq/ft}$

b) Pricer: $(15'6'' - 6') \times 3' = 28.5$



Fuel Dispensers

12) Fuel Dispenser - Double Sided

a) Top: Dandy text 20" w x 5" h = 1 sq/ft

b) Bottom: Dandy Logo 20" w x 17" h = 2.5 sq/ft



Total Aggregate: _____

<u>Sign:</u>	<u>Square Foot:</u>
1) Wall Mount - Main ID - Dandy	38.5
2) Wall Mount - PizzaCafeDeli	10
3) Wall Mount - Main ID - Dandy	38.5
4) Wall Mount - PizzaCafeDeli	10
5) Wall Mount - Main ID - Dandy	38.5
6) Wall Mount - PizzaCafeDeli	10
7) Wall Mount - Drive Thru	10.5
8) Wall Mount - Order	4
9) Wall Mount - Pick Up	4
10) Wall Mount - Drive Thru Menu Freestanding	32
11) Monument (qty 2 - 56.75 ea.) Fuel	113.5
12) Dispensers (qty 9 - 3.5ea)	31.5

Total Square footage of site signage: 341

Town of Lansing

Tuesday, February 2, 2010 7:00 PM, Zoning Board of Appeals Meeting

ZONING BOARD OF APPEALS MEMBERS

(*Denotes present)

*	Gregg Travis, Chairman	*	David Dittman
*	Linda Hirvonen	*	Dan Konowalow
	Ronald Bricker, Alternate Member	*	Henry (Hurf) Sheldon
*	Jeffrey Overstrom, Engineer & Planning Coordinator		
*	Kathryn Miller, Town Board Liaison		
	Lorraine Moynihan Schmitt, ZBA Attorney		

PUBLIC PRESENT

Andy Sciarabba

Ron Fortune

Arthur Paul

GENERAL BUSINESS

Linda Hirvonen, Acting Chair called the meeting to order at 7:10 PM. Ms. Hirvonen reviewed the Agenda items and acknowledged the Legal Notice published in The Ithaca Journal with regards to the Public Hearing on the Area Variances.

Public Hearing for: Area Variance Application, Applicant: Consulting & Design, Agent for; Drake Petroleum, 32 Peruville Road, Tax Parcel # 30.-1-16.4

Henry (Hurf) Sheldon made a motion to open the Public Hearing at 7:12 PM. Daniel Konowalow seconded.

VOTE AS FOLLOWS:

David Dittman - Aye

Linda Hirvonen - Aye

Daniel Konowalow - Aye

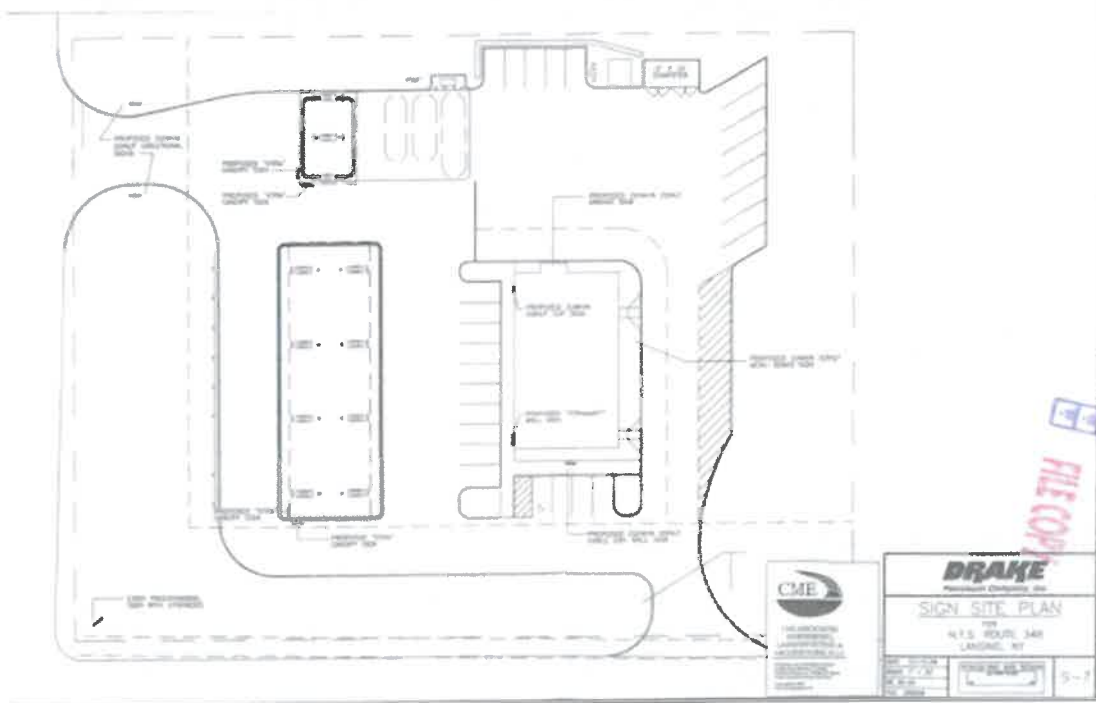
Henry (Hurf) Sheldon - Aye

MOTION CARRIED.

Mr. Ron Fortune, Agent for Drake Petroleum appeared before the Board requesting an Area Variance for the number of signs to be permitted on the

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premises at 32 Peruville Road. The Town of Lansing Sign Ordinance permits two signs per lot, of which they shall not exceed 50 square feet in area. Mr. Fortune states his Company proposes the Signage Package for a Plaza, not just a Gas Station. There are three different types of business (Dunkin Donuts, Xtra-mart and Gas/Diesel) housed on the site. The free standing pre-existing sign at the corner will remain. The following Sketch Plan was proposed;



Member/Public Comments/Concerns:

Daniel Konowalow: Has concern with the additional signage (facing south) located near the diesel gas pump island. Mr. Konowalow does not have a problem with the directional signs.

Kathy Miller: States she trucks horses and more than once she has pulled into a Service Station and has to pull out and back in again due to the lack of signage for diesel. Ms. Miller is in favor of the proposed plan.

David Dittman: States putting the little logo signs on the building does not change the character of the neighborhood.

Andy Sciarabba: Indicated this is a business, in a Business District and that it is suppose to be allowed to promote it self and pay more taxes to our community. Constantly Developers are being told "we do not want to do things because it is

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offensive". These people have been a good neighbor for many years and should be able to continue. These folks should be encouraged, not discouraged.

Linda Hirvonen: Feels different size lots should have different regulations (square footage) for their signage.

Henry (Hurf) Sheldon: Wanted to make sure the B2 area is not over decorated with large signs.

David Dittman made a motion to close the Public Hearing at 7:46 PM. Henry (Hurf) Sheldon seconded.

VOTE AS FOLLOWS:

David Dittman - Aye
Linda Hirvonen - Aye
Daniel Konowalow - Aye
Henry (Hurf) Sheldon - Aye

MOTION CARRIED.

Further Member Discussion

Daniel Konowalow: Inquired if Drake Petroleum would consider reducing the one sign on the south side near the diesel pumps.

Ron Fortune: The design is already balanced.

David Dittman: States they have 3 distinct businesses there.

Henry (Hurf) Sheldon: Thinks the building is very tasteful in design and an upgrade to Lansing. Mr. Sheldon further believes that setting a precedence with bending the rules for this company that has made a nice addition to the Town should be allowed.

The Board Members reviewed the criteria for an Area Variance.

1. State whether an undesirable change in the neighborhood character will be created, and reason why:

No.

2. Is there an alternative method, feasible to pursue, to achieve what the Applicant desire, and reason why:

No.

3. State whether the requested Area Variance is substantial, and reason why;

No.

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4. State whether the Variance will have adverse effect or impact on the physical or environmental conditions in the neighborhood or district, and reason why:

No.

5. State whether the alleged difficulty was self-created, and reason why:

Yes, expansion of Business coupled with a pre-existing Sign.

David Dittman made a motion to **approve** the Area Variance. Henry (Hurf) Sheldon seconded.

VOTE AS FOLLOWS:

David Dittman - Aye

Linda Hirvonen - Aye

Daniel Konowalow - Nay

Henry (Hurf) Sheldon - Aye

MOTION CARRIED.

Approval/Denial of December 7, 2009 Minutes

Daniel Konowalow requested on page 2, under Bud Shattuck, it should be **precedent**. Also, on page 4, under Gregg Travis (3 below) should be **rights of way**.

Daniel Konowalow made a motion to approve as amended. Henry (Hurf) Sheldon seconded.

VOTE AS FOLLOWS:

David Dittman - Aye

Linda Hirvonen - Aye

Henry (Hurf) Sheldon - Aye

Daniel Konowalow - Aye

MOTION CARRIED.

Henry (Hurf) Sheldon made a motion to adjourn the Meeting. David Dittman seconded.

VOTE AS FOLLOWS:

David Dittman - Aye

Linda Hirvonen - Aye

Henry (Hurf) Sheldon - Aye

APPROVED

Daniel Konowalow - Aye

MOTION CARRIED.

