

ZONING BOARD OF APPEALS FACT SHEET

ZBA Member Assigned: **Hunte**

CASE NO.: 2021-5

Name of Applicant: **AJ Signs (Dog Haus Biergarten)**
Owner: **Cortlandt Town Center, LLC**
Address of property: **3131 E. Main St.**
SBL: **Section 24.10 Block 1 Lot 3**
Prior ZBA Case No.: **Case #13-11**
Zone: **CD**
Lot Size: **39.67 acres**

Requests: Sign Ordinance Chapter 245 Attachment 2 Table 2 – Business Wall Signs permitted in Commercial and Industrial Districts for sites with multiple tenants. Front elevation signage permitted is 44.8 sq. ft., 54.85 sq. ft. proposed, Chapter 245 Attachment 2 Table 2 Note 4 for second frontage permitted sign area is ½ of the permitted signed for the front elevation - 22.4 sq. ft. permitted, 36.52 sq. ft. proposed.

Staff Comments:

The office of Code Administration and Enforcement received an application for a sign permit on 3/18/2021 for business wall signs for the front and side elevation. Due to the corner location and design of the building there are actually three (3) facades. The Code office determined two of the signs should be counted together on the front elevation with one sign located on the side elevation. The side elevation is along the interior road network between the proposed site and Wal-Mart. The area for the sign on the side elevation is permitted by Code to be ½ of the area of the signage permitted on the front elevation. The Office of Code Administration and Enforcement denied the request on 4/1/2021.

<u>PERMITTED</u>	<u>PROPOSED</u>	<u>VARIANCE</u>	<u>PERCENT</u>
44.8 sq. ft.	54.85 sq.ft.	10.05 sq. ft.	18% (<i>front elevation</i>)
	36.52 sq. ft. (<i>side of entrance</i>)		
	18.33 sq. ft. (<i>entrance sign</i>)		
22.4 sq. ft.	35.62 sq. ft.	13.22 sq. ft.	37% (<i>side elevation</i>)

SEQR: TYPE II – No further compliance required



TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
CODE ENFORCEMENT DIVISION

Michael Preziosi, P.E.
Director - D.O.T.S

Martin G. Rogers, P.E.
*Director of Code
Enforcement/D.O.T.S.*

Ken Hoch
Assistant to the Director/D.O.T.S.

Town Hall, 1 Heady Street
Cortlandt Manor, NY 10567
Main #: 914-734-1010
Fax #: 914-293-0991

Town Supervisor
Linda D. Puglisi

Town Board
Richard H. Becker
Debra A. Costello
James F. Creighton
Francis X. Farrell

April 8, 2021

Re: Dog Haus sign permit application
3131 E Main St.
Tax ID 24.10-1-3

AJ Signs
842 Saratoga Rd.
Burnt Hills, NY 12021

I am in receipt of your Building Permit Application received March 18, 2021 for two business wall sign on the front facade at the above referenced premises.

I must deny this request under the following chapter of the Town of Cortlandt Zoning Code: Signs Ch. 245 Attachment 2 Table 2 – Allowed sign size is 44.8 sf, proposed signs are 54.85. Request for a variance from the Code is required.

Zoning Board of Appeals application form and the short EAF Form shall be completed and returned to the Division of Code Enforcement with ten (10) copies of the plans and \$200.00 Zoning Board of Appeals application fee. If the application is deemed complete the project will then be placed on the agenda for the next available Zoning Board of Appeals meeting.

Additional information may be required upon subsequent reviews. Technical comments for the submission may be issued separately. If you have any questions or comments please feel free to contact me by email or at 914-734-1010.

Sincerely,

Ken Hoch
Assistant to the Director
Department of Technical Services

Cc: Chris Kehoe

Case No. 2021-5
Date: 4/20/21

9200
31462
H-ate

TOWN OF CORTLANDT

DEPARTMENT OF TECHNICAL SERVICES

Planning Division

Town Hall, 1 Heady Street, Cortlandt Manor, NY 10567

914-734-1080

www.townofcortlandt.com

chrisk@townofcortlandt.com

ZONING BOARD OF APPEALS APPLICATION

Site Data:

Section 24.10 Block 1 Lot 3 Zone: _____

Street Address: 3137 E. Main St

Project Description: Dog Haus Biergarten Entrance wall sign and side facade sign

Circumstances of particular application:

We are seeking 24sq ft of relief from sign code Chapter 245 Attachment 2. The proposal will allow Dog Haus signage for all 3 of their facades that are large enough to be seen by motorists entering the plaza.

Application is hereby made for the following Variance, Interpretation and/or Special Permit under the Town Code:

Chapter: 245 Section: Att2 note4 Chapter: _____ Section: _____

Is adjacent property in the same ownership? Yes _____ No _____

Does any officer/employee of the Town of Cortlandt have any interest in this application as defined in the General Municipal Law Section 809? Yes _____ No X If yes, attach a sheet describing the nature and extent of that interest.

Applicant:

Name: AJ Signs

Address: 842 Saratoga Rd Burnt Hills NY 12027

Phone: 518-399-9291 Mobile: 518-331-3344

Owner:

Name: Cortlandt Town Center LLC

Address: PO Box 460169 Houston TX 77056

Phone: _____ Mobile: _____

Architect/ Engineer/ Surveyor:

Name: Murdoch Engineering

Address: 2 Hummingbird Ct Howell NJ

Phone: _____ Mobile: _____

Lessee:

Name: Dog Haus Biergarten Andrew Hammerling

Address: 3137 E. Main St Mohegan Lake NY

Phone: 646-206-0337 Mobile: _____

Attorney:

Name: _____

Address: _____

Phone: _____ Mobile: _____

Confirmation All Taxes Paid: _____

Date: _____

Authorization:

State of New York, County of Saratoga Thomas Wheeler being duly sworn deposes and says he/she is the owner, or authorized representative by attached completed proxy statement, and is duly authorized to perform or have performed said work and to make and file this application: that all statements are true and to the best of their knowledge and belief, and that he/she has read the foregoing appeal and knows the contents thereof.

Sworn to before me

Owner or Authorized Representative Signature: _____

this 16th day of April, 2021.

Print Name: Thomas Wheeler

Notary Public: _____

To: The Town of Cortlandt Board of appeals

Re: Dog Haus Biergarten Signage

The attached application seeks area variance relief from Chapter 245 Attachment 2 Note 4 of the Town of Cortlandt Zoning Law, relating to the proposed signage for Dog Haus Biergarten at 3137 E. Main St in the Cortlandt Town Center. As more specifically demonstrated below, it is respectfully submitted that the benefit to the tenant greatly outweighs any perceived detriment to health, safety and welfare of this particular area should the requested area variance relief be granted.

We therefore ask the Board to consider the following relative to the legal standard applicable to the variance relief sought:

1. Whether and undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will occur

The property is situated within the CD Commercial Zoning District. Within a commercial district, it is in the public's interest for signage to be visible and informative, particularly when visitors/ customers are automobile-oriented. As proposed, the signage is of reasonable size and location and is consistent with the aesthetics of the surrounding neighborhood and area, as well as the signage on other commercial properties in the plaza. The proposed signage has been designed to identify the fast casual food establishment to motorists on East Main and within the plaza without being a distraction. Moreover, the proposed signage will not only enhance the aesthetic appearance of the building, but it will, draw patrons and motorists to this underutilized corner of the plaza where the establishment resides. As a result, the signage will not negatively impact the commercial character of the neighborhood and will enhance rather than diminish the value of surrounding properties.

2. Whether the benefit sought by the applicant can be achieved by some method, feasible to the applicant to pursue other than a variance.

The building is set back from East Main approximately 600 feet, due to the physical characteristics of the property. Therefore the proximity of the restaurant to East Main Street cannot be altered or reduced. To ensure visibility of fast casual eatery, signage of the size proposed is necessary for maximum legibility. Signage must be of sufficient size to clearly distinguish and identify Dog Haus and must be visible at a safe distance by drivers on East Main and on the plaza drive. Dog Haus does not have any other feasible alternative available to achieve store identification and visibility other than larger signage. Furthermore, as noted above, the size and scale of the proposed signage is consistent with the surrounding commercial area, the large scale of the plaza structure, and existing signage advertising other commercial properties in the surrounding area. In addition to ensuring visibility of the restaurant, the proposed signage will serve to promote public safety and mitigate traffic concerns by clearly providing customers direction to the site and facilitating on site traffic. There is no viable option available to the applicant other than to increase the sign's size to meet the functional needs of the sign.

3. Whether the requested variance is substantial.

The Area Variance relief requested is not substantial given the location of the restaurant and the approximate 600' distance of the signage from East Main. As proposed, the relief sought represents an increase of approximately 24 sq ft. above that, which is allowed by the Zoning Law. It our assertion that the relief sought is minimal in nature. The benefit to be gained by an increase of 24 sq ft. in the size of the proposed signage, whether from a traffic and public safety or economic perspective, far outweighs any detriment that may be realized if the terms of the Zoning Law are strictly applied. There is no benefit to be realized by the public if the relief sought is denied and the installation of sufficiently clear signage that is visible and legible at a safe distance by drivers on East Main is prevented.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.

The proposed signage will not adversely affect the physical or environmental conditions in the surrounding neighborhood or the plaza. Cortlandt Town Center is the location of a number of commercial structures and businesses, and associated identification signs. The signage proposed for the Dog Haus Biergarten is of reasonable size and is consistent with the size, scope and purpose of existing signage in the surrounding area. Moreover, the proposed signage has been designed to complement the aesthetic appearance of the building and to be visually pleasing to the public. Granting the relief sought will be beneficial not only to the neighborhood as a whole, but is believed to enhance rather than diminish the value and physical conditions of back corner of the plaza. The signage is visually inert and not distracting in anyway, and, because it uses the latest in LED lighting technology, the signs are environmentally friendly limiting the amount of light emitted. The installation of smaller signage, that complies with the Town's Zoning Law, will likely result in customer confusion and adversely impact traffic on East Main and on-site.

5. Whether the alleged difficulty was self-created.

Although it may be asserted that the alleged difficulty is self-created, the relief sought is a function of the physical features of the property and site development limitations, as well as the size and nature of the permitted fast casual restaurant use. As noted above, the restaurant is set back from East Main about 600 feet due to the characteristics of the property. The proposed signage is of reasonable size and location for a large-scale commercial retail building, and is consistent with the commercial character of the surrounding area and signage on other commercial properties situated in close proximity to the restaurant. To fulfill the intended functionality, the signs installed must be of sufficient size to clearly distinguish Dog Haus and, to mitigate traffic concerns and eliminate confusion must be discernable at a safe distance by drivers on East Main.



187.5 0 93.75 187.5 Feet

Map produced by: user

1:1,125



Disclaimer: "The information contained in this data is NOT to be construed as a "legal description"/ "The Town and its consultants do NOT provide any guarantee of accuracy or completeness and will NOT be held liable for any damages or losses due to its use."



Town of Cortlandt

Legend

- Parcels
- Road Labels

Notes

Notes

Google Maps Cortlandt, New York

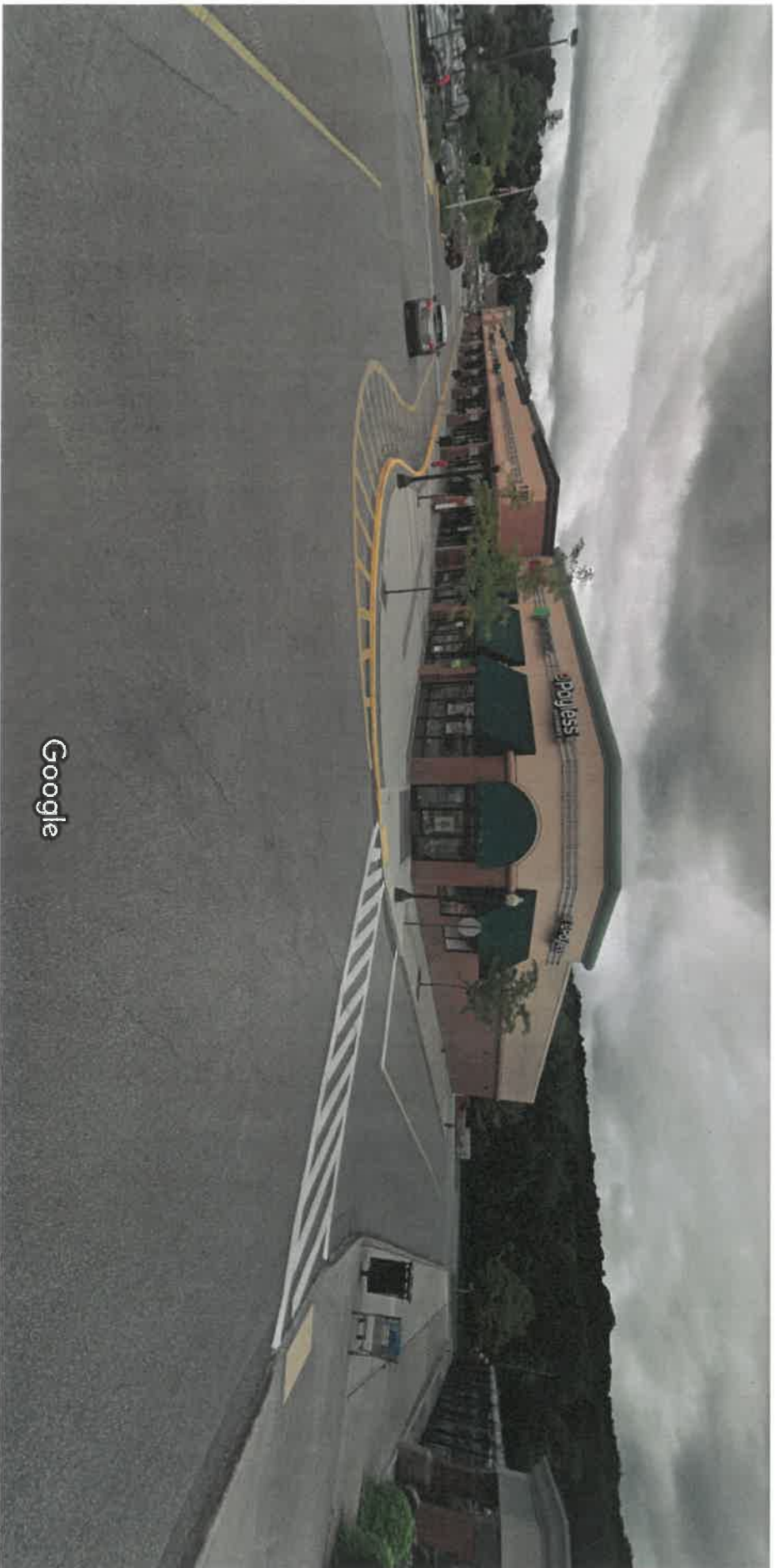
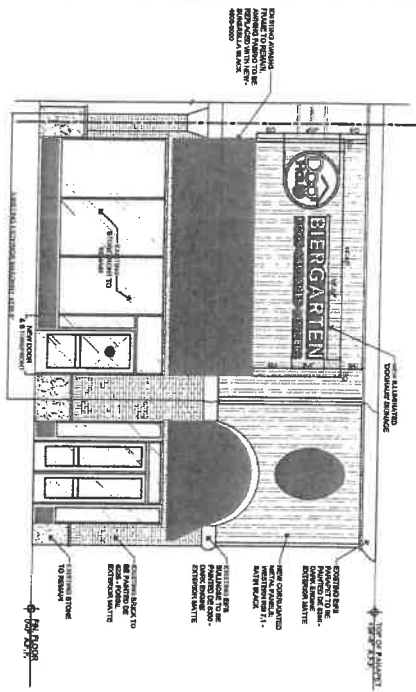


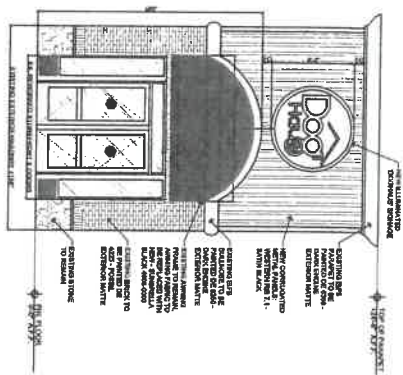
Image capture: Aug 2018 © 2021 Google



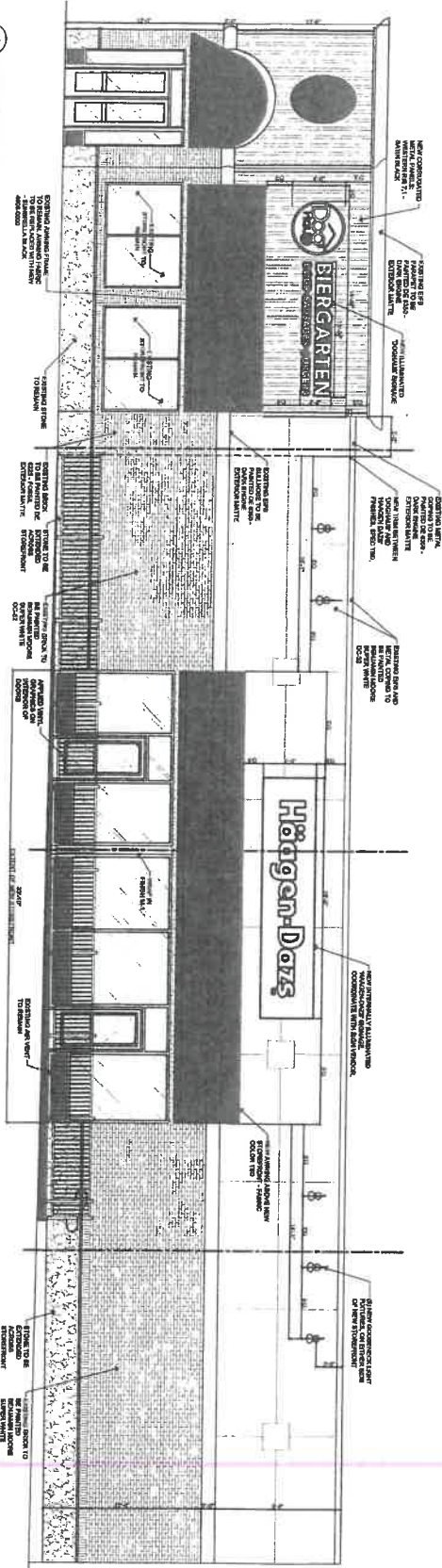
Street View



2 EXTERIOR ELEVATION



3 EXTERIOR ELEVATION



1 EXTERIOR ELEVATION

DESIGNER:	GREGORY RALPH ARCHITECT
1924 RT. 22 EAST ROULIN, NY 12158 TEL: 908 721 1226 E: GREG@RALPHARCHITECT.COM	
ARCHITECT:	DAWN PARKER HEIFETZ 328 PARKER AVENUE, 2ND FLOOR, SUITE 200 NY 12158-1113
SCALE:	
DATE	TITLE
NO	NO
CLIENT:	MOHEDAN DOB, LTD
PROJECT:	DOOR/LAND/TOWN CENTER
LOCATION:	3137 E. MAIN STREET BRIDGE #A-13 MOHEDAN LAKE, NY 12547
TITLE:	EXTERIOR ELEVATIONS
DATE:	01/14/2021
SCALE:	AS INDICATED
JOB NO.:	
SHEET:	A-400

Entrance Sign

Qty: (1) Single Sided
 Materials: .125" thick aluminum faces with all text cut into the face and pushed through in .75" thick clear acrylic with diffuser film on the backside and vinyl on the front side. On circle logo outer red ring will also be pushed through in acrylic. Sign to be internally illuminated with LED's.

0.5 in
 5.8 in



58 in



58 in

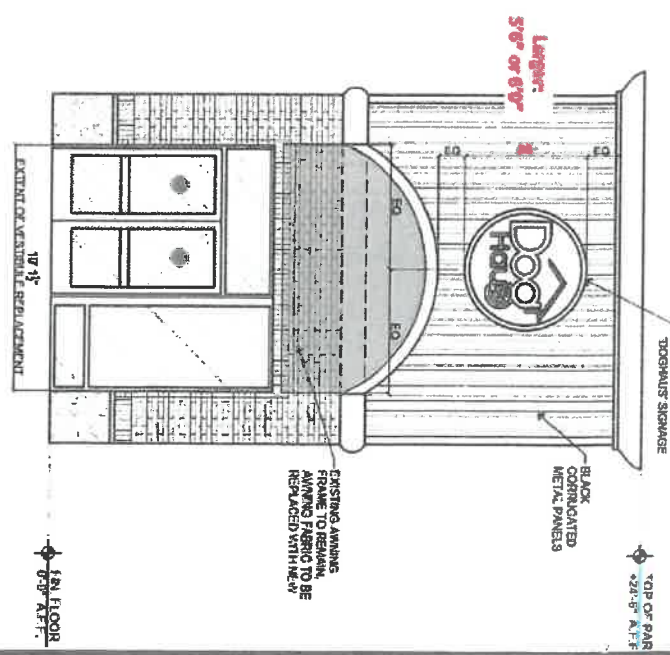
Colors: ■ 3630 Yellow

■ Matte Black

■ 3630 Poppy Red

SOFT 18.33

Photo Representation of Approximate Sizing



Logo: 3/4" Acrylic Pushed Through Face 1/2"

Logo: 3/4" Acrylic Pushed Through Face 1/2"

Matte Black Aluminum

3/4" Acrylic Pushed Through Face 1/2"

Logo: 3/4" Acrylic Pushed Through Face 1/2"

ASJ
Sign Co.
 342 Santiago Road
 Baiton Hill, NY 12027
 (518) 399-9291
 ASDesign.com

Client: Dog Haus
 Project: Exterior Signage
 Location: Mohegan Lake

Date: _____
 Date: _____

File Name: e32796
 Salesperson: Carly Clark
 Designer: Llesel Socoloski
 Date: 2/25/21



Original artwork and design for this project is the property of ASJ Sign Co. and may not be reproduced or used for other projects without the express written permission of ASJ Sign Co. All rights reserved. Signage is subject to the applicable local, state and federal regulations. Signage is subject to the applicable local, state and federal regulations. Signage is subject to the applicable local, state and federal regulations. Signage is subject to the applicable local, state and federal regulations.

Front Signage

Qty: (1) Single Sided

Materials: .125" thick aluminum faces with all text cut into the face and pushed through in .75" thick clear acrylic with diffuser film on the backside and vinyl on the front side. On circle logo outer red ring will also be pushed through in acrylic. Sign to be internally illuminated with LED's.

Colors: ■ 3630 Yellow ■ 3630 Poppy Red

■ Matte Black □ White

Circle:

SQ FT 12.56

Words:

SQ FT 23.96

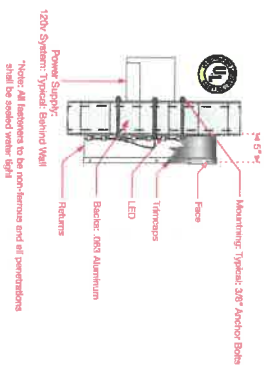
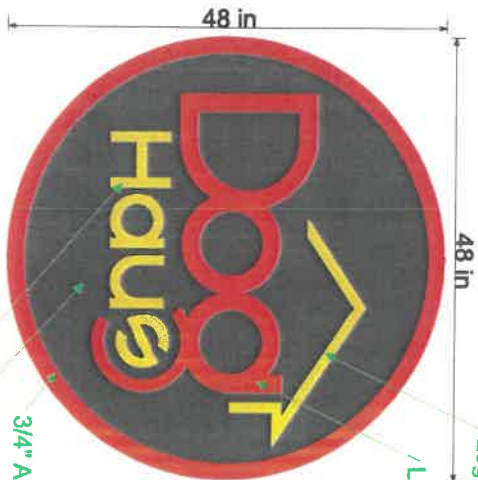
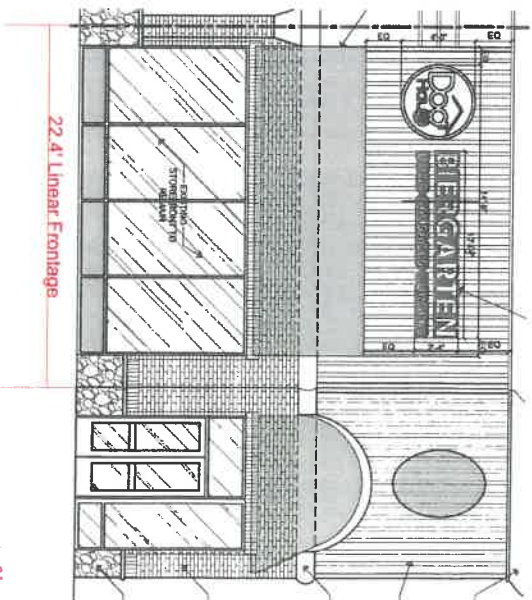


Photo Representation of Approximate Sizing



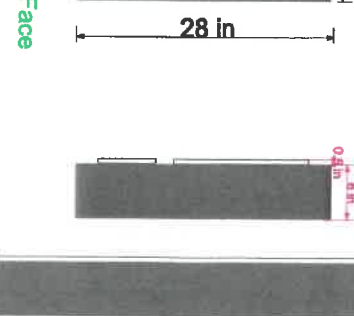
Logo: 3/4" Acrylic Pushed Through Face 1/2"

Logo: 3/4" Acrylic Pushed Through Face 1/2"



Clear Acrylic Push Thru with 3M Opaque White Film on Face

Clear Acrylic Push Thru with 3M Opaque White Film on Face



Side View

3/4" Acrylic Pushed Through Face 1/2"

Matte Black Aluminum

Logo: 3/4" Acrylic Pushed Through Face 1/2"

Matte Black Aluminum

Clear Acrylic Push Thru with 3M Opaque White Film on Face

Client: Dog Haus

Project: Exterior Signage
Location: Mohegan Lake

Customer Approval:

Landlord Approval (if Required):

Date:

Date:

File Name: e32796

Salesperson: Carly Clark
Designer: Liesel Socolowski

Date: 2/25/21

Original drawings and specifications the property of AJS Sign Co. and may not be reproduced or reproduced in whole or part in a catalog or sign without written permission from AJS Sign Co. Client shall be financially responsible for the return of drawings. Designer's drawings are available for purchase for use in subsequent bid processes upon request.



842 Saratoga Road
Burnt Hills, NY 12027
(518) 399-9291
AJSigns.com

Your Image. Our Everything.

Side of Entrance

Qty: (1) Single Sided

Materials: .125" thick aluminum faces with all text cut into the face and pushed through in .75" thick clear acrylic with diffuser film on the backside and vinyl on the front side. On circle logo outer red ring will also be pushed through in acrylic. Sign to be internally illuminated with LED's.

Colors: ■ 3630 Yellow ■ 3630 Poppy Red

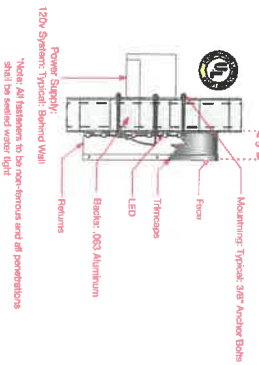
■ Matte Black □ White

Circle:

SQ FT 12.56

Words:

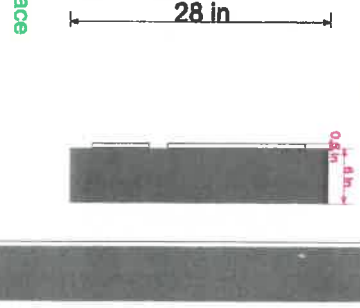
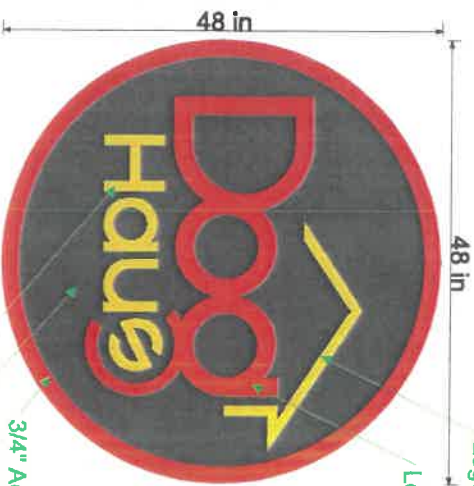
SQ FT 23.96



Logo: 3/4" Acrylic Pushed Through Face 1/2"

Logo: 3/4" Acrylic Pushed Through Face 1/2"

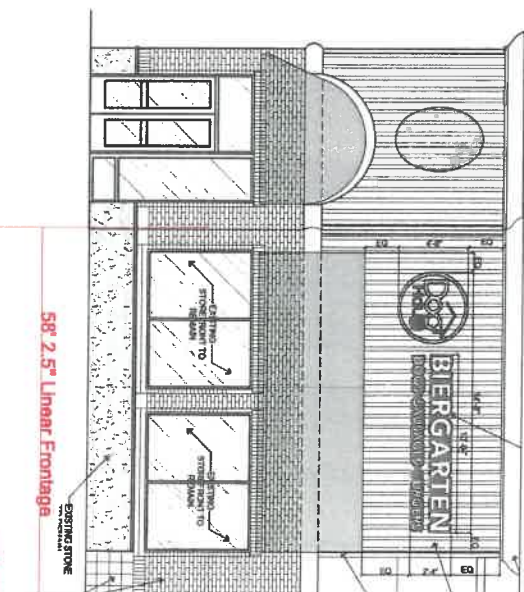
Clear Acrylic Push Thru with 3M Opaque White Film on Face



3/4" Acrylic Pushed Through Face 1/2"
Matte Black Aluminum
Logo: 3/4" Acrylic Pushed Through Face 1/2"

Clear Acrylic Push Thru with 3M Opaque White Film on Face
Matte Black Aluminum

Photo Representation of Approximate Sizing



Side View

ASJ Sign Co.
842 Saratoga Road
Burnt Hills, NY 12027
(518) 399-9291
ASigns.com

Client: Dog Haus
Project: Exterior Signage
Location: Mohegan Lake

Customer Approval: _____
Landlord Approval (if Required): _____

File Name: e32796
Salesperson: Carly Clark
Designer: Liesel Socolosi
Date: 2/25/21

Date: _____
Date: _____

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Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Dog Haus Biergarten Wall signage			
Project Location (describe, and attach a location map): 3137 E Main St Mohegan Lake NY			
Brief Description of Proposed Action: Installation of 3 wall signs for Dog Haus Biergarten :Total sign area is 92.33 Sq ft			
Name of Applicant or Sponsor: AJ Sign Co		Telephone: 5183999291	
		E-Mail: Kristen@ajsigs.com	
Address: 92 Charlton Rd			
City/PO: Burnt Hills		State: NY	Zip Code: 12027
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		31.5 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		31.5 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <input checked="" type="checkbox"/>	<p>YES</p> <input type="checkbox"/>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <input checked="" type="checkbox"/>	<p>YES</p> <input type="checkbox"/>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <input checked="" type="checkbox"/>	<p>YES</p> <input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Thomas Wheeler</u> Date: <u>4/16/21</u></p> <p>Signature: <u>[Signature]</u></p>		

Z O N I N G B O A R D O F A P P E A L S

Town of Cortlandt
Westchester County, New York

D E C I S I O N & O R D E R

Name of Petitioner: **Mobile Grafx Sign Co. on behalf of Payless
Shoesource**

Case No. **13-11**

Address: **3137 E Main St. (Cortlandt Town Center) Mohegan Lake, NY**

Nature of Petition:

Use Variance Area Variance 280A Exception
 Special Permit Interpretation

Describe Specific Request: **Area Variances for the size of the front
and side wall sign.**

Board Members

Present: **David Douglas
Wai Man Chin
Charles Heady, Jr.
Adrian C. Hunte
Ray Reber
James Seirmarco**

Absent: **John Mattis**

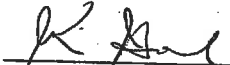
The above-referred to Petition, having been duly advertised in The Croton Cortlandt Gazette, the official newspaper of the Town of Cortlandt in the issue published on **5/11/11**, Town Board Resolution No. **153-88** having been complied with and the matter having duly come to be heard before a duly convened meeting of the Board on the following date **5/19/11**, at the Town Hall, 1 Heady Street, Cortlandt Manor, New York, and all of the facts, matters and evidence produced by the Petitioner, by the administrative official and by interested parties having been duly heard, received and considered, and a site inspection of the premises having been made, and due deliberation having been had, the following Decision and Order is hereby made:

The applicant is hereby granted an Area Variance for an illuminated front wall sign from a required 25 square feet up to 40.9 square feet, and an Area Variance for an illuminated side wall sign from a required 12.5 square feet up to 18.2 square feet


This is a Type II Action under SEQR, the Interpretation of an existing rule or code.

NOW THEREFORE, Petition is granted and it is further ordered that in all other respects Petitioner comply with all of the rules, regulations and ordinances of the Town of Cortlandt and all other agencies having jurisdiction.

Adopted: May 19, 2011
Cortlandt Manor, New York
Date filed: May 24, 2011



Ken Hoch
Clerk, Zoning Board



David Douglas
Chairman, Zoning Board