



Donald Reeb <donreeb@gmail.com>

Re: Call me once you return

4 messages

Chuck Klaer <cklaer1@nycap.rr.com>**Fri, Jan 6, 2012 at 2:09 PM**

Reply-To: Chuck Klaer <cklaer1@nycap.rr.com>

To: Donald Reeb <donreeb@gmail.com>

Didn't expect you back so soon. Hope hard to know what to hope for you ... in light of what has transpired. You are in my thoughts.

The replay on channel 17 of the ZBA meeting will be Saturday at 1PM and again at 7pm....You might want to DVR it if you can. What follows is an e-mail I sent to Peter after the ZBA meeting. (I've gotten no response.)

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This is a follow-up to my post meeting comments.

The Town is fortunate to have someone of your temperament, and superior legal competence as chair of the Zoning Board The chair of the Zoning Board is a very powerful position.

As I mentioned you appreciate the need and requirement that the "decision" voted on must be comprehensive and technically dot every "I" and cross every "T" to avoid the possibility that it be over turned upon appeal. In support of the motions you draft is an exceptionally fair opportunity provided every applicant to make his/her case before the board. On the one occasion when I sat in for you a chair for I think it was 1349 Western Avenue, Janet Thayer was most helpful helping me draft the motion.

Nevertheless if ever a majority of the board were to come to a different conclusion from the one proposed by you in a well drafted motion, it would be very difficult for any of the members of the board to draft a counter motion of sufficient comprehensiveness and technical competence to avoid the possibility that it be over turned upon appeal.

For the sake of discussion let's say Jim Sumner wants to follow-up on his premature "No" vote with a technically competent motion to present on February 1st as an alternative to the one you might draft approving the application, could he turn to you or Janet to get assistance drafting it?

I say might, from the sad experience, (for me), of discovering that truth and logic don't always win the day.

.....
A guy representing one of the companies being considered to produce the sign drove up with a van outfitted with a demonstration sign that rises up out of the spine of the van. He parked it at the end of the entrance walk. We were told that the large demonstration sign was 1/3rd ...1/3rd the size of the proposed sign. Using many LED bulbs, it produces Seurat like pointillist paintings of any desired message. Structurally the sign is like a very low resolution digital picture that has to be seen from afar to be clear because the density of the pixels is so low. Within 50 feet, the print message is a blur. This is important because if as Sharon Cupoli noted, the sign was to be used to list in black and white, the 62 shops of Stuyvesant Plaza, to be legible only a small portion of the shops could be displayed at any one time.

Even if such a use were to be approved the "Print" would have to be very large, and perhaps "dense" in order to be legible. Since the system has the capability of reproducing the signs and logos of a business (in any color or combination of colors) many of which were demonstrated,

I noted that the system would provide each business signage in excess of the code and therefore each and every reproduced sign would have to be individually approved and receive it's own area variance.

If you are up for a field trip there is an example at Clifton Country Mall.

Back to my e-mail to Peter Barber. After the meeting I reminded Jim Sumner that if Peter proposes a motion approving the sign even with severe limitations that does not meet with his approval, it will be incumbent upon him to to have an alternative motion ready as an alternative.

I don't know whether I heard between the lines of Peter's response to our post meeting conversation ... "don't worry Jlm's comments about safety concerns will be included"... to mean that his proposed motion would be to deny. Or that his comments to Tom Rempert re: 21st century signage zoning code revisions that this application has to be decided based on current zoning, but as a member of the Zoning Review Committee Tom should know that Committee has shown no

inclination to amend the signage code to permit exotic 21st Century signs, as further indication that Peter is leaning toward a disapproval.

What did Peter do?

Peter initially suggested posting till the first date convenient to Schultz, February 1st. for a decision only.... Due to the closing comments and Jim's let's just kill this now motion, he chose to keep the public meeting open.....to be continued February 1st.

I'll be in Seville Spain.

You might want to go to the Towns web site and pull up Section 280.26 and the glossary to familiarize yourself with the points I made and Don Csapos' supplemental comments....also the Comprehensive Plan and McKownville study reverences he made. Your community turned out nicely. If you have contacts with DOT it might be worth while to see where DOT thinks its Right of Way is. I raise the issue but keep getting brushed off.

Attached are my talking points.

That Don Csapos felt comfortable speaking out against the application might mean that Peter is getting no "pressure" from the Supervisor to approve the sign.

-----Original Message----- From: Donald Reeb
Sent: Friday, January 06, 2012 7:59 AM
To: Chuck Klaer
Subject: Re: Fw: Call me once you return

Well--what did Peter do?

Don

On Thu, Jan 5, 2012 at 9:41 PM, Chuck Klaer <cklaer1@nycap.rr.com> wrote:
861-8128
Re; Zoning Board Meeting

From: Chuck Klaer
Sent: Thursday, January 05, 2012 10:40 PM
To: Don Reeb
Subject: Call me once you return

Chuck

Donald Reeb <donreeb@gmail.com>
To: Chuck Klaer <cklaer1@nycap.rr.com>

Fri, Jan 6, 2012 at 2:19 PM

I am in Ohio--Springfield---and will begin the journey back on Sunday.

The funeral is tomorrow.

Thanks for the update---we will talk more when I return--will miss you for the February 1, meeting.

Don

[Quoted text hidden]

Chuck Klaer <cklaer1@nycap.rr.com>
Reply-To: Chuck Klaer <cklaer1@nycap.rr.com>
To: Donald Reeb <donreeb@gmail.com>

Fri, Jan 6, 2012 at 2:51 PM

I suggest you get some neighbor to record Wednesday's ZBA meeting Saturday at 1PM or 7PM to get a flavor of the

meeting. We don't fly out till the 20th so maybe we can have a strategy meeting.

Chuck

-----Original Message----- From: Donald Reeb
Sent: Friday, January 06, 2012 2:19 PM
To: Chuck Klaer
Subject: Re: Call me once you return
[Quoted text hidden]

Chuck Klaer <cklaer1@nycap.rr.com>
Reply-To: Chuck Klaer <cklaer1@nycap.rr.com>
To: Donald Reeb <donreeb@gmail.com>

Fri, Jan 6, 2012 at 3:10 PM

This the response I got from Peter

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Chuck:

Thanks for your comments and e-mail. I've copied Janet on my response.

If a member were to make a motion that was seconded, I or anyone else could seek to amend that motion in an effort to provide further reasoning, to suggest an alternative approach etc. In the recent 20 Mall application, I made the motion to approve the application as submitted and, after a second, asked if anyone wanted to make a motion to amend regarding the location of the main door. I did that because the location of the door was a discrete and important item that could be addressed on its own. In other words, a member could voice their position on the placement of the door by voting on the amendment, but in the end, still vote in favor of the final approval even if it did not include the preferred door location.

Obviously, if the placement of the door remained an issue of importance, the member could still vote no on the final approval (like Mike and I did). In end, I made the motion to approve, opposed an amendment that was ultimately adopted, and voted against amended approval. This two-vote procedure encourages discussion on important issues and allows a member to vote in favor of the project while enabling her or him to persuade others on a discrete issue raised by a proposed amendment.

In the end, neither Janet nor I would leave a member without assistance. We have often suggested amendments to further support the reasoning behind a member's motion even though I know that I will vote against the amended motion. In other words, no matter who makes the motion, Janet and I try to have the best decision possible even when I intend to vote against it.

Peter

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It seems our best plan might be to provide Jim with a script where he turns to Peter and Janet and asks them for help drafting a motion of disapproval that includes the litany of objections starting with conflicts with current code supplemented by the kitchen sink items raised by those of us who commented.

I've attached my talking points

-----Original Message----- From: Donald Reeb
Sent: Friday, January 06, 2012 2:19 PM
To: Chuck Klaer
Subject: Re: Call me once you return
[Quoted text hidden]

 **Signs-Stuyvesant.doc**
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