

To be discussed:

WellNOW's Request for a Signage Variance,
from 50sf to 308sf

This variance should NOT be granted!

The Issue

Guilderland has a zoning code to manage signage on properties on Western Avenue and throughout the town. The code says:

- (1) A maximum of two signs per business shall be allowed.
- (2) The maximum total area for allowed signage shall be the lesser of 50% of the lot width or 50 square feet in the LB, GB, I and IP Districts.

This means that WellNOW is entitled to, at most, 50sf of signage. WellNOW is asking for 308sf of signage.

Other properties on Western Avenue, in McKownville, work within the advertising limits called for in the zoning code, WellNOW must also.

Three street signs pictured here are associated with neighboring, thriving, medical facilities. They have NO signage on the actual buildings. One facility, in the large office building at 1450 Western Ave, has an awning over the door as a guide. Patients find their providers and the businesses survive and prosper without the 308sf of lighting being requested by WellNOW. Lighting in the form of, nearly 3 foot tall, individual channel letters, internally lit, with LEDs.



This Request is About Advertising

The rules about signage in the zoning code are intended to keep advertising under control. That is why the rules were established.

WellNOW has a right to appeal for a zoning variance, but the ZBA should not grant their exception simply because it is being requested.

Looking at other WellNOW properties it is easy to see that they like to advertise.



WellNOW's building is a reality

WellNOW devotes considerable effort towards advertising. From our research we have discovered the WellNOW makes maximum use of their entire building as an advertising tool. Their windows become space devoted to advertising opportunities.

As you can observe from these photos the buildings' proximity to their property lines will make all signage additionally prominent.



Assertions by WellNOW that we find faulty

WellNOW has made assertions in its request for variance that are offensive to the McKownville neighborhood. They stated:

1. "This is a commercial area. The additional signage will not produce any undesirable change to the character of the area or neighborhood. The additional signage will only prove to be helpful to the community and patients who are trying to find the urgent care facility."
2. "There is no other method to alert the public busy roadway.... need adequate time to turn...."
3. "We do not feel the additional 3 signs and additional square footage should be seen as substantial. The more the Urgent care is able to alert the public to their location will only benefit the community."
4. "The additional signage will have no impact on the physical or environmental conditions of the neighborhood or surrounding area."

Residential
properties in the
immediate area.



The Residents of McKownville Expect the ZBA to Uphold the Zoning Law

In response to the comments taken from WellNOW's variance application we say:

- McKownville is NOT a commercial area. While this piece of property is zoned LB we are a mixed use community with a heavy emphasis on our residential quality, which we have been fighting for decades to preserve.
- The residential nature of Western Avenue is a delicate balancing act. To maintain what is attractive about our "Main Street" we must fight to insure that the houses are places where homeowners want to live. Las Vegas style lighting does not promote this.
- The variance WellNOW is requesting, if granted, *would* cause just what the zoning law tries to prevent, "undesirable change to the character of the area or neighborhood".

Lastly, WellNOW stated:

- "There is no other way to alert the public to the location of the ... facility . . ." – Please be serious..... The character of our residential neighborhood is a serious matter,

It is 2020.
Everyone can
find a street
address on
Western
Avenue

The argument that anyone will struggle to find an address on Western Avenue with the Navi and Google technologies that exist today is preposterous.

In conclusion.

- We, the McKownville Improvement Association and the residents of McKownville, trust that the ZBA will do its job and deny this outrageous request. There is no reason this applicant should be granted a variance from this law. The zoning code was developed for precisely this reason, to preserve a proper balance between residential and commercial development.
- Numerous other medical providers have, for many years, dispensed services at neighboring locations without the extensive signage requested by WellNow, a wholly owned subsidiary of Aspen Dental. To protect our community we have made many other businesses abide by the zoning rules. WellNOW knew the zoning parameters before they decided to locate here, they should now live by them.
- We urge the Zoning Board of Appeals to deny WellNOW's variance request in its entirety and require them to live within the existing regulation as responsible neighbors and respectful citizens of our community.

Thank You.