



July 29, 2020

Zoning Ordinance of the Town of Brunswick
336 Town Office Road
Troy, New York 12180



Dear Brunswick ZBA Board Members,

We are respectfully requesting consideration for a road sign at our Taco Bell at 718 Hoosick Road. We are asking for this consideration due to financial hardship.

The history of the quick service restaurant business has proven that a recognizable sign from the road can greatly impact the performance and viability of a location. Quick service restaurants, even on the busiest streets will often underperform without a good presence at the road. Our first-year results in Brunswick are significantly below expectation.

The 718 Hoosick Rd location is 31% below the average of our three (3) most recently developed restaurants. It is also over \$100,000 lower in gross sales than national average. In NY, restaurants really need to perform better than national average to survive, due to higher operating costs, minimum wage, and several other factors.

We believe the lower performance at Brunswick is due to the lack of visibility from further down the road. Often times, if a passerby does not see the offering soon enough, they do not have time to safely enter the turning lane and will often pass by, hopefully to return another day. Coming from the north there is very little identifiable signage on the building, this is something we hope the road sign mitigates.

To further validate our request a recent study noted that 40% of quick service business is due to seeing the restaurant (signage) and convenience. We ask that the board consider this application and recognize the challenges we face. In the age of COVID, restaurants with drive thrus play an important role in the community. We want long term success in Brunswick, and we think the sign would go a long way to keeping us a viable business there.

I look forward to discussing this further with you.

Respectfully,

A black rectangular redaction box covering the signature of Mike McCracken.

Mike McCracken
Director of Asset Development
Hospitality Syracuse, Inc.

290 Elwood Davis Road, Suite 320
Liverpool, NY 13088


Phone (315) 451-1957 Fax (315) 451-9603 www.hrgweb.com

Town of Brunswick
Zoning Board of Appeals
336 Town Office Road
Troy, NY 12180
518-279-3461

Application of a Variance

General Information



Application Number 2B2020-0181
Date Application Received 8/10 + 8/14
Hearing Scheduled Date _____
Application Fee 250 - 
Approval Date _____ Conditions (y/n) _____
Denial Date _____ Withdrawn Date _____
Zoning Chairperson Ann Clemente

Applicant
Name: Contact: Mike McCracken
Company: Hospitality Syracuse, Inc.
Address: 290 Elwood Davis Road, Suite 320
Liverpool, NY 13088
Phone: (315) 451-1957

Property Owner
Name: Brunswick Center Associates, L.L.C.
Company: Brunswick Center Associates, L.L.C.
Address: c/o Nigro Companies, 20 Corporate Woods
Blvd. Albany, NY 12211
Phone: _____

Applicant is: Owner _____ Builder _____ Lessee Architect/Engineer _____ Agent _____
Other _____ If other, please explain: _____

Lot Information

Street address of Lot: 718 Hoosick Road, Troy, NY 12180

Parcel ID Number: 91.00-6-3.1 Zoning District: B-15, Commercial (PDD Proposed)

Irregular Shape of Lot (Y or N) Y Corner Lot (Y or N) Y

Existing: Lot Area ±15.62Ac Frontage ±650 Depth ±900
Setbacks: Front N/A rear N/A Left N/A Right N/A

Proposed: Lot Area NO CHANGE Frontage NO CHANGE Depth NO CHANGE
Setbacks: Front No Change rear No Change Left No Change Right No Change

Type of Water Service: 1.5" Mucipex Service (Municipal) Type of Sanitary Disposal: 6" PVC (Municipal)

Describe Existing Use:
Freestanding Quick Serve Taco Bell Restaurant (lease parcel)

Type of Request: Area Variance _____ Use Variance _____ Sign Variance

Briefly describe the proposal:

The applicant is proposing to construct a freestanding monument sign for a previously approved and developed quick-serve restaurant with a drive-thru.
For the construction of the proposed sign, the applicant is seeking relief from the following sections of the Town of Brunswick Zoning Law:
1. Area variance for the total area of proposed signage (section 160-85-G(4)(b)); 2. Area variance for number of proposed signs (Section 160-85.G(4)) ; and,
3. Area variance for proposed freestanding sign where a group of four (4) or more stores are located in a planned shopping center (Section 160-85.G(4)(f)).

Abutters-Adjacent Property Owners

List the name and address for each adjacent property owners. Use additional paper if needed.

	Name:	Address:	Property Use
Front	Private Owner	715 Hoosick Road	Residential
Rear	Market 32	716 Hoosick Road	Commercial
Left	Pioneer Bank	712 Hoosick Road	Commercial
Right	Verizon	720 Hoosick Road	Commercial

Required Submittals

- A plot plan showing all dimensions of buildings, yard (front, side and rear setbacks of building(s) (proposed and existing)), lot size, and streets.
- Part 1 of the State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form
- Application fee

NOTE: Additional submittals may be required by the Zoning Board of Appeals. Failure to submit all required documents may result in a delay in the processing or denial of the application.

Have there been any other variances issued for this property? (Y or N) Y

If yes, explain: The Zoning Board of Appeals, on January 29, 2020, granted two (2) variances for the subject lease parcel - a variance for the total number of signs (7 approved by the ZBA) and a variance for total square footage of the signs (114.11 SF approved by the ZBA).

For any Area Variance Request, please complete the following:

Proposed use / construction: Proposed freestanding monument sign
 (Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc.)

	REQUIRED	PROPOSED
Lot Size:		
Width at set back:		
Front Setback:	15ft	15ft
Rear Setback:		
Left Side Setback:		
Right Side Setback:		
Maximum Lot Coverage:		
Maximum Height:	30ft	9'
SIGN AREA	87.5 sf	146.11 sf

For Multi-family Residential / Non-Residential Area Variances, please complete the following:

	REQUIRED	PROPOSED
Number of Parking Spaces:		
Buffer:		
Units per Acre:		

Area Variance Continued

1. Explain how no undesirable change will be produced in the character of the neighborhood; nor a detriment to nearby properties created by granting the Area Variance.

The site lies within the B-15 Commercial Zoning district and the proposed freestanding sign is consistent with the surrounding areas. Various uses surrounding and in the vicinity of the subject site have similar signs to the one being sought by the applicant. The adjacent bank also has a freestanding sign similar to the one being proposed by the applicant. In fact, if the subject site was a separate parcel instead of a lease parcel, a freestanding sign would be allowed by right subject to the total area restrictions. The proposed sign is in harmony with signage through this commercial corridor therefore no undesirable change is anticipated to the character of the neighborhood nor any detriment anticipated to nearby properties.

2. Explain why the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

Freestanding signs provide visibility from the road that greatly impacts the performance and viability of a quick serve restaurant location. Quick serve restaurants without a good presence and visibility from the road often under perform even on busy roads. The applicant is seeking relief from the ZBA because within the first year of its opening, the subject restaurant has been heavily under performing in gross sales due to a lack of visibility from the road which would be addressed by granting of the requested variance. The applicant believes that without the freestanding sign, potential customers who are largely pass-by users do not have adequate time to pull into the plaza safely. Since the requested sign is imperative to the functioning and sustainability of a quick serve restaurant, the benefit sought can not be achieved by another method.

3. Describe whether the requested Area Variance is substantial.

The requested variances are not substantial. The applicant is proposing to amend the previously approved variance to allow for a total sign area of 146.11 SF (114.11 existing + 32 SF monument sign proposed). It should be noted that the existing 114.11 SF of signage includes menu boards and directional signs which are not defined by the code to be included in overall calculations. If the menuboard and drive-thru directional sign areas were not included in the calculations, the proposed total sign area would be code compliant at 87SF. The requested variances for the number of signs is not substantial because the applicant is seeking relief to add just one (1) additional sign which the applicant believes is imperative to the sustainability of the existing restaurant. The requested area variance for the freestanding sign is not substantial as the existing restaurant is located on a lease parcel and not individual parcel. If the restaurant was located on an individual parcel, the freestanding sign would be allowed similar to the neighboring bank site. The requested sign is not substantial and is consistent with signage provided at many major developments in the Town, within the County, and across the nation.

4. Explain how the proposed Area Variance will not have an adverse effect on the physical or environmental conditions in the neighborhood or district.

The relief sought will not have an adverse effect on physical or environmental conditions in the neighborhood or district since the proposed sign will be located in an area designated by the Town Zoning where such signs are allowed. Further, as noted before, the proposed sign is consistent with existing signs located around and in the vicinity of the subject site.

5. Explain whether the difficulty is self-created. (Consideration is relevant, but shall not necessarily preclude the granting of the Area Variance)

The applicant had previously applied for and withdrawn a variance application for a freestanding sign on the subject lease parcel. Since then, the restaurant opened, and first year sales data suggest that the restaurant is heavily under-performing. The applicant is applying for the requested variance since the restaurant is located on a lease parcel and not a stand alone parcel that allows for separate freestanding signage by right. Since the applicant has tried to proceed without the freestanding sign and the facility has significantly underperformed and suffers economic hardship without the signage, the applicant believes that the difficulty was not self-created and the longevity of the business is in jeopardy.

For Use Variance Applications, please complete the following:

Describe the requested use: _____

1. Explain why the applicant cannot realize a reasonable return from the property without the Use Variance, as demonstrated by competent financial evidence.

2. Explain how the alleged hardship relating to the property is unique, and does not apply a substantial portion of the district or neighborhood.

3. Describe why granting the requested Use Variance will not alter the essential character of the neighborhood.

4. Explain whether the alleged hardship has been self-created.

Certification and Authorization

I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of Brunswick to process this application as provided by law.

I also authorize the Town of Brunswick Building Department and Zoning Board of Appeals to enter the property that is the subject of this application for the purpose of inspection and consideration of the application documents.

Applicant:

Name: Hospitality Syracuse, Inc.

Signature: [Redacted]

Date: 8/7/2020

Property Owner:

Brunswick Center Associates, L.L.C.

[Redacted]

8/13/20

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: Proposed Taco Bell Signage							
Project Location (describe, and attach a location map): 718 Hoosick Road, Troy, NY 12180							
Brief Description of Proposed Action: Applicant is proposing to install one (1) monument sign for the existing Taco Bell fast food restaurant with drive thru.							
Name of Applicant or Sponsor: Hospitality Syracuse, Inc. (Contact: Mike McCracken)		Telephone: 315-451-1957 E-Mail: mikem@hrgweb.com					
Address: 290 Elwood Davis Road							
City/PO: Liverpool		State: NY	Zip Code: 13088				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<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: Town of Brunswick - Sign Permits; Rensselaer County - 239 Review			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		_____ 0 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?		_____ 0 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 checked="" 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?	NO	YES	N/A
	<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?	NO	YES	
	<input type="checkbox"/>	<input checked="" 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: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<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"/>	
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: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Not applicable to the proposed signage application	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Not applicable to the proposed signage application	NO	YES	
	<input checked="" 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" 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?	NO	YES	
	<input checked="" 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"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" 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 _____ _____	NO	YES	
	<input checked="" 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> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<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> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<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> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Hospitality Syracuse, Inc. Date: 08/07/2020
 Signature:  Director

SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 100 MPH 3 second gust wind speed per ASCE 7-05 (130 MPH - ASCE 7-10), Category II, Exposure C.
- 150 PSF per foot of depth allowable lateral soil bearing pressure.
- Compliant with national building codes and standards (IBC 2009, IBC 2012, AISC 14th Edition, ASCE 7-05, ASCE 7-10, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Cabinet

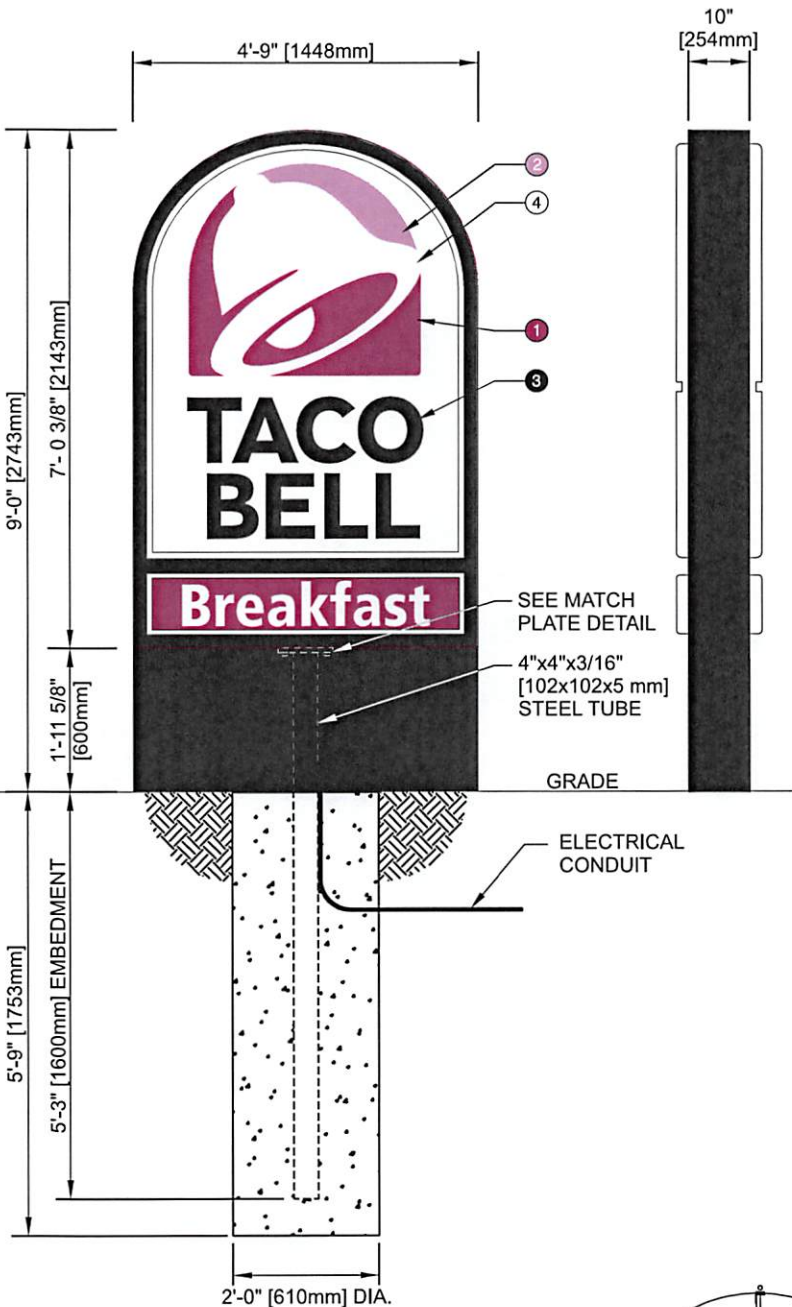
- Extruded aluminum frame, 10" [254mm] deep with 2" [51mm] retainer
- Aluminum painted fillers
- .150 [4mm] pan-formed SG polycarbonate face with debossed reinforcement at main ID face - 2nd surface digitally printed decal backed up with white
- .125 [3mm] pan-formed SG polycarbonate face at breakfast face
- Faces pinned into the retainer with mechanical fasteners as required
- Hingeable access for service

ELECTRICAL/ PERFORMANCE SPECIFICATIONS

- UL & NEC approval required.
- 12V, Class II UL approved system.
- If alternate LED's are used:
 - 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours.
 - Thermally managed surface mount devices (SMD).

Cabinet:

- LED(s): (4) AgiLight LS-RTRZ5-072-50K-G3 RetroRayz 500 Light Bars
 (1) AgiLight LS-RTRZ5-036-50K-G3 RetroRayz 500 Light Bar
 Power Supply: (3) 12V/60W LED Power Supplies @ 0.9 amps ea.
 Total Load: 2.7 amps
 Circuits(s): (1) 20 amp-120V

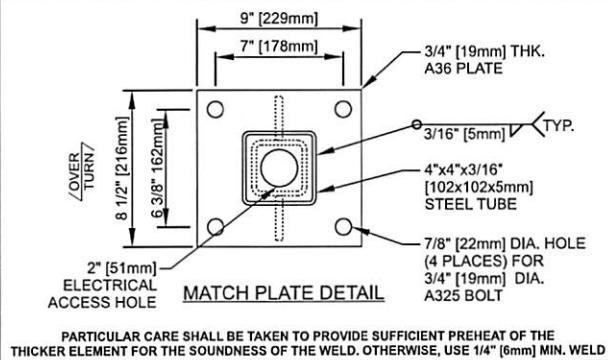
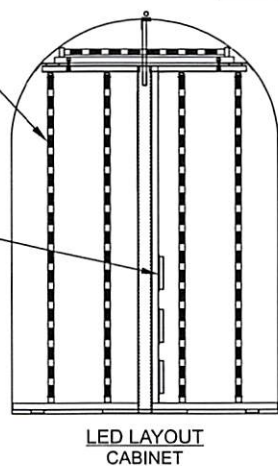


SEE MATCH PLATE DETAIL
 4"x4"x3/16"
 [102x102x5 mm]
 STEEL TUBE

ELECTRICAL
 CONDUIT

0.67 CU. YDS.
 CONCRETE REQ'D

- (5) AGILIGHT RETRORAYZ 500 LIGHT BARS
- (3) 12V/60W LED POWER SUPPLIES



GRAPHIC & COLOR SPECIFICATIONS:

COLOR	PANTONE	PAINT
1 Dark Purple	PMS 2603C	
2 Light Purple	PMS 2577C	
3 Black	Pantone Black	
4 White	Pantone White 3M 3630-20	SW2123
5 TB Bronze Tiger Drylac	49-66230 C33	

NOT FOR CONSTRUCTION
 DECEMBER 2016