

Historic and/or Architectural Advisory Board  
City of Cortland  
April 16, 2012

A Special meeting of the Historic District Commission was held on April 16, 2012 at 8:00 a.m. in the Mayor's Conference Room at City Hall.

Present: Chair Kline, Comm. Abbott, Dineen, Delaney, Kane and Wineburg

Staff Present: Zoning Officer Bruce Weber, Deputy Chief Knickerbocker and Cheryl Massmann, Deputy City Clerk

Item No. 1 - Minutes - April 9, 2012 as amended.

Motion: Comm. Abbott

Seconded: Comm. Dineen

Motion passed.

Deputy Clerk Massmann expressed Comm. Smith's regrets that she was not able to be in attendance at this morning's meeting due to a work conflict requiring her to be out of town.

Item No. 2 - 16 Main St. - (Pawn King)(CB) - Signage

Mr. Mercurio was present. He explained that he had brought a sample of his proposed building siding, but he explained that he couldn't obtain a sample of the proposed light fixture. He distributed samples of the blue vinyl from his proposed façade sign. Comm. Kline asked him what material the light fixtures were made out of. Mr. Mercurio explained that it was a stained, dyed aluminum light fixture and he handed out a picture he had downloaded from the internet. He did provide one (1) copy of a cut sheet for the fixture.

Mr. Mercurio also passed around a vinyl stone siding sample. Chair Kline noted that it looked like stacked stone. Mr. Mercurio also submitted a drawing of his revised front façade sign which now met the allowed twenty (20) square footage requirement.

Deputy Chief Knickerbocker noted that what was allowed was eighteen (18) inches by thirteen (13) feet four (4) inches. Comm. Abbott asked if he was still going to use the phrase "the name that means money in your pocket". Mr. Mercurio stated that he had to eliminate that to meet the sign requirement and not reduce the overall size of his store name. Deputy Chief Knickerbocker stated that if his sign exceeded the twenty (20) square feet, he would have to go for a variance, even if it was only a small amount over. Mr. Mercurio stated that he would crop something to be sure to meet the twenty (20)

square foot requirement. Chair Kline noted that he was in agreement that the upper sign would be reduced to twenty (20) square feet to be in compliance.

A motion was made to approve the Pawn King upper façade building sign revised to thirteen (13) feet four (4) inches wide or keeping within the twenty (20) square feet allowed and that the color blue sample submitted be accepted as proposed.

By: Comm. Kline  
Seconded: Comm. Wineburg

Motion passed.

Chair Kline went on to the lighting portion of the proposal. Mr. Mercurio had submitted a cut sheet for a black aluminum light fixture. He explained that he will be going with three (3) light fixtures.

A motion was made to approve the lighting as proposed.

By: Comm. Dineen  
Seconded: Comm. Wineburg

Motion passed.

Chair Kline explained that Mr. Mercurio had proposed to place a faux brick or a vinyl wainscoting on the front of the building below the front windows. Comm. Wineburg noted that the issue was how it would look with the neighboring store. Mr. Mercurio stated that the neighbor is moving out soon and it was his intention to paint the whole front of the building so that it would look nice and fresh. He explained that he intends to clean up the building, but noted that he didn't own the building. He explained that he would paint it any color and put up any façade material and this was a preference for the City. Chair Kline noted that they did make concrete board that he could use and that could be painted. Mr. Mercurio noted that he was trying to stick with a color that matched the building. Chair Kline noted that concrete board did take a lot of abuse, wouldn't rot and still looked good over time. Mr. Mercurio stated that the vinyl stone siding sample that he had brought with him came with a mounting kit and was very durable. He noted that he had used it before and when fully installed, it looked beautiful. Comm. Delaney noted that it resembled the front material used on the Daily Grind.

Mr. Mercurio explained that the inch thick plywood on the front of his building below the windows is rotting and the building owner will not repair it, so he's going to make the building look better. He noted that he'll do it with wood or vinyl. Mr. Mercurio stated that he is trying to buy the building and had made the owner a good offer over the weekend. Chair Kline noted that she liked the concrete board used by Mr. Calabro on his building across the street and noted that it last forever.

Mr. Mercurio explained that his plan was for the front of the store only, but he may paint the side of the building as well so that it doesn't look shabby. He noted that he has found problems with the sewer in the building and noted that the roof is not good. He explained that if the insurance company moves, he'll paint the whole front of their building as well. He plans to bring someone in to do the painting. He noted that if he was able to purchase the building, he'd really be able to do something with it.

Comm. Abbott noted that she likes the concrete along the front to match the side of the building. Comm. Delaney agreed with her. Mr. Mercurio noted that he doesn't care which material is used and this Board can come up with the material. He explained that he'll use whatever material the Board chooses after he repairs the rot. He noted that this building doesn't look right, it stands out and it's a challenge with the landlord.

Chair Kline suggested that he could paint it with a beige paint. Comm. Delaney noted that Mr. Mercurio didn't want to paint the façade material that's there, he wants to replace it. Chair Kline again suggested the concrete board. Mr. Mercurio noted that if he buys the building, he'll match both stores. Chair Kline noted that he could keep the like material or use brick or stone or he can do a bulkhead trim to dress it up. Comm. Delaney asked if the door and window trims were aluminum. Mr. Mercurio noted that some was aluminum and some was wood. Comm. Delaney noted that he would paint the trim blue instead of the blue neon that he had proposed. Mr. Mercurio noted that the Board wouldn't like it and he didn't like it. He would like to do something quick on the bottom of his building, something this Board liked and if he owned the building he'd do something different. Chair Kline noted that he could do something later and come back. Mr. Mercurio noted that he is doing things now that the landlord was supposed to do and he wants it to be maintenance free. Chair Kline noted that the concrete board is clean. Mr. Mercurio noted that he would have to have the painters come back for the concrete board. Comm. Abbott explained that she liked the concrete board. Comm. Wineburg noted that she would like to see it match the building next door that's attached to it and to see him do it the right way and then have the painters come in. Comm. Dineen noted that he liked the stone or concrete board. Comm. Kane noted that she like the plain look. Comm. Delaney liked the plain and noted that the plain went with the other building. Comm. Delaney noted that she thinks the top and bottom of the building should match. Comm. Wineburg noted that it should be painted all one color.

Mr. Mercurio explained that his plan was to only paint his building until the insurance company vacates their building and their sign comes down. Then he can assess if there's damage behind that sign, repair it and paint the other building to match. He also will be painting the side of his building. Comm. Wineburg asked if he would have to return to this Board to paint the neighboring building. Chair Kline noted that if he was painting with the exact color used on the building now and he wouldn't have to come back before us.



requirement, the Board still needs to decide if they will allow them to be there at all. Comm. Delaney stated that she preferred not to approve neon for downtown. Comm. Kane stated that "Open" signs bothered her and she was not a fan of neon. Comm. Abbott noted that she also was not a fan. Comm. Dineen also was not a fan. Comm. Delaney explained that he could use other materials for signage.

Mr. Mercurio explained that he has to have those two (2) neon signs and he saw you approve the big neon sign for the book store at the last meeting. After that meeting, he went up and down Main Street taking pictures on his phone of neon and moving signage that's up in other store windows. Zoning Officer Weber noted that violation citations had been issued to some. Mr. Mercurio noted that the whole street should be cited. He explained that his store needs its logos. He noted that he wouldn't even be in this town, if he knew this from the beginning. Comm. Abbott noted that his landlord should've informed him from the beginning. Mr. Mercurio agreed, but noted that the other store had been approved at this table for his big neon sign and he felt that he should be approved as well. He explained that his neon is smaller. He noted that they couldn't approve neon for one store sign and not another. Chair Kline noted that she had measured that sign herself and that sign was under twenty-five (25) percent.

Comm. Wineburg noted that Mr. Mercurio was asking for two (2) signs. Chair Kline reminded them that each window is allowed twenty-five (25) percent. Mr. Mercurio stated that he wants his twenty-five (25) percent for each window. He went on to explain that he could go back twelve (12) inches and they could still be seen from the road. He explained that he wants equal treatment. He noted that he could build brackets and put them back farther, but that's an aggravation. Chair Kline agreed with him. Mr. Mercurio noted that the book store sign was the same colors as his sign, as well. Comm. Delaney stated that the Board should've stood our ground with Mr. Terwilliger. Mr. Mercurio stated that if (Terwilliger) was approved, he should be approved, as he was no different. Comm. Delaney asked if he was willing to go back twelve (12) inches. Mr. Mercurio stated that he couldn't do that, it was too much and he would fight for the right for his logo. He explained that he wouldn't be doing this if he hadn't seen what was approved by this Board last week. He also explained that neon had been around for a hundred years and that this Board should think about doing something with that and considering historic neons.

Comm. Abbott noted that he was right and that this Board started something. Chair Kline noted that if the Board had stood their ground with Mando Books and didn't want neon, they could've made him move it twelve (12) inches back, but it was approved and now the Board had to live with the consequences. Chair Kline noted that if it was allowed, she would like to see that not one piece of paper or any other sign be placed in that window.

Zoning Officer Weber asked Mr. Mercurio if he was proposed two (2) neon signs. Chair Kline stated that was right. Zoning Officer Weber noted that the Board had approved one (1) sign for Mando Books, and this proposal is for two (2). Chair Kline asked Zoning Officer Weber if she was incorrect in her thought that each panel gets twenty-five (25)

percent. Zoning Officer Weber stated that while Mando Books got approval for a neon sign, it was for one (1) neon sign and that somewhat limits how much neon is there. He further explained that this Board could restrict this even further, because they had the ability to restrict it to less than twenty-five (25) percent.

Chair Kline asked Mr. Mercurio was able to keep one (1) sign to twenty-five (25) percent and the second sign was for less than twenty-five (25) percent. Mr. Mercurio noted that "More Money for Gold" was more important, but the Board had opened a can of worms and he's going to for both of his signs by allowing the other guy his sign. He noted that it was twenty-five (25) percent per window and he didn't get it. He noted that he could see the situation if the windows were cluttered and that is not the case with any of his stores. He noted that he has done everything, gotten rid of the neon on top, gotten rid of the border neons and all the clutter to try and compromise and he wants his two (2) signs to open his store.

Chair Kline noted that if "More Money for Gold" is the more important sign and if the Commission says do it for twenty-five (25) percent and put it in the window, can you reduce your little Pawn King guy. Mr. Mercurio didn't mind reducing it down, but wants it to be seen. He noted it was his logo. He explained that he didn't like to reduce it at all as he would like to use the full twenty-five (25) percent allowance. Chair Kline noted that having heard Zoning Officer Weber, there is an option. Comm. Abbott noted that Zoning Officer Weber said that Mando Books was allowed one (1) neon sign and if we're going to be stuck with this neon thing, we should go with one (1) sign only and stick with to it. One (1) sign, not two (2) signs.

Chair Kline noted that he could go with white vinyl. Comm. Abbott suggested that he could put the "Pawn King" sign on his back wall. Mr. Mercurio noted that this is going to be an issue. Comm. Abbott reminded him that the Board can limit size and number of neon signs. Mr. Mercurio stated that he would go back twelve (12) inches or go with the vinyl on the glass. He explained that he has researched the City and he'll make it bigger and push it back the twelve (12) inches and if that's not feasible, just okay the Pawn King guy in vinyl on the glass in white. He noted that a lot of the stuff that everybody is arguing about is not worth it, just put twelve (12) inches back.

Comm. Abbott asked if there was a certain time that neon signs had to be shut off. Zoning Officer Weber noted that there was no time limit to turn of lights. Mr. Mercurio explained that neon mechanics prefer to run all the time. Comm. Delaney noted that he was not alone in having this problem, First Niagara and Subway had to redesign their whole sign to fit into the Historic District. Mr. Mercurio noted that he could live with the "Big Money for Gold" sign and make the pawn guy bigger and put him back and he thinks that he's okay with that.

A motion was made to approve the "Big Money for Gold" sign in neon and "Pawn King" in vinyl up to twenty-five (25) percent of the window.

Motion: Comm. Dineen  
Seconded: Comm. Abbott

Motion passed.

Zoning Officer Weber reminded Mr. Mercurio to have his sign fabricator contact me prior to making the signs. Mr. Mercurio stated that he was very disappointed that the fabricator had not submitted information to the Zoning Officer before this and he will take care of that as he was told it was done. Comm. Delaney reminded him that if he has the Pawn King back twelve (12) inches, this Commission doesn't need to know about it.

Mr. Mercurio stated that he does a lot of stores and this isn't his first store. He stated that walking up and down Main Street Cortland that there are many violations and something has to happen. He noted that being a business person and coming in to town, he has seen stuff out there that shouldn't be done. He stated that he'll do what he has to do and he'll keep his word, but what is the process of the violators getting cited. He has heard that supposedly they get fined once and then they can't get fined twice.

Zoning Officer Weber stated that he didn't believe that. Mr. Mercurio noted that what isn't fair is the length of the process once someone is cited before they're in court and he's going to follow up on this. He noted that some store windows are cluttered with papers and he doesn't get it. He's here before this Board fighting for this and then he goes down the street and there are violations all over.

Zoning Officer Weber noted that he had to understand a lot of those violations may have existed prior to the regulations that are in place today and so that is part of the problem and also that there was no oversight for a long time. Mr. Mercurio noted that there was probably a grandfather law as well. Zoning Officer Weber agreed. Mr. Mercurio asked about the tattoo parlor on Groton Avenue with all of his neon signs. Chair Kline noted that she had contacted him and he was going to move those signs back twelve (12) inches. Mr. Mercurio also noted that there was no moving signs allowed and some people had those in their windows. Zoning Officer Weber noted that the owner of the Daily Grind had been cited for that, but he was unsure what others there were.

Mr. Mercurio noted that he wasn't going around grouching the whole sign thing, but they needed to be consistent. He noted that Cortland was a nice setting and he was really happy to be here.

#### New Business

Chair Kline noted that while on vacation she had been contacted by Emmanuel Pothos. Chair Kline explained that the City has given him until June 1, 2012 to start working on 55 Main Street to make the improvements or he will have the property taken by eminent

