

TOWN OF SAUGERTIES
ZONING BOARD OF APPEALS
4 HIGH STREET
SAUGERTIES, NY 12477

Regular Meeting

May 7, 2007

Present: Joe Roberti, Jeanne Goldberg, Joe Mayone, Henry Rua and Brian Sawchuk

PUBLIC HEARING

1. 04-04-07 THOMAS COLON
 458 MALDEN TRUNPIKE
 SAUGERTIES, NY 12477

SECTION INVOLVED 5.1 BULK REGULATIONS: SIDE, FRONT AND REAR SETBACKS

FOR THE PURPOSE OF BUILDING A STORAGE GARAGE

Mr. Colon representing and presented green receipt cards.

Ricky Tamayo- 1606 Old Kings Highway. Owns neighboring property. Claims applicant does not own some of the property he wishes to build on.

Mr. Colon stated he has hired a surveyor to establish his boundaries.

He requested the public hearing be continued until he has his survey done.

Motion by Henry seconded by Joe to extend the public hearing until applicant receives his survey. Applicant to notify board when it is done. Motion amended by Jeanne seconded by Joe to note that extension is being done with the consent of both parties.

5/0, 5/0. Motion is passed as amended.

DECISION

1. 01-02-07 QUICK CHEK CORPORATION

Board obtained a copy of the decision from the Planning Board granting conditional approval.

Regarding the opinion of the U.C. Planning Board

1. Freestanding signs: County disapproved, the sign should meet the provisions of the zoning statute.

Section 4.2.8.3.c of the Town of Saugerties Zoning Law states "Where the principal building or group of buildings is set back at least 15 feet from the right-of-way or street line, one free-standing sign shall be permitted on each street frontage. No part of any free-standing sign or its support shall be located within six feet of any building, property line, right-of-way or street line."

It was noted that the building is set back 200 feet.

MOTION by Henry seconded by Brian that no variance is needed for 2 free-standing signs, one on each frontage because the building is set back at least 100 feet.

Roberti- yes, Goldberg-yes; Mayone-yes; Rua-yes; Sawchuk-yes.

2. Directional signs: County required modifications. Business advertising should be removed.

Applicant agreed to remove company name and logo from directional signs. They would only have "entrance / exit" language.

Motion by Henry seconded by Brian that signs now comply with the U.C. Planning Board request and are only traffic control devices and do not need a sign variance.
Roberti-yes; Goldberg-yes; Mayone-yes; Rua-yes; Sawchuk-yes

3. Wall signs. Location on street frontage. Requesting 3 wall signs fronting on or facing toward Rt. 9W. One on building and two on canopy.

Discussion: Signs on canopy would not have an environmental impact effect or impact in the neighborhood. Requested variance is minimal. Signs on canopy would not produce an undesirable change in the character of the neighborhood.

Motion by Henry seconded by Joe M. to grant the variance for the number of wall signs.
Roberti – yes, Goldberg – yes; Mayone – yes; Rua –yes; Sawchuk – no.
Motion is passed regarding the number of wall signs.

4. Wall signs. Height of canopy signs:

Requested variance of 2'7" is minimal. Must be above 15' because of height of canopy to allow vehicles to drive under.

Requested variance would not produce an undesirable change in the neighborhood.

Requested variance would not produce an adverse effect on the environmental conditions in the neighborhood.

Motion by Joe M. seconded by Henry to grant the 2'7" variance for the height of the signs on the canopy.

Roberti – yes; Goldberg – yes; Mayone – yes; Rua – yes; Sawchuk – yes.

The motion is passed regarding the height of the signs on the canopy.

5. Wall signs: Height of building sign.

Requested variance is 7'2". Sign was proposed at a legal height until the Town Planning Board requested a change in the design of the building. In order to accommodate the change the height of the signs was raised requiring the variance.

Brian felt that the Planning Board erred in recommending a design that required a 40% variance.

Requested variance is substantial but is required to meet the recommendations of the Planning Board. There is no other feasible method to achieve the benefit sought.

Because the building is set back from the road approx 200 feet, there would not be an undesirable change produced in the neighborhood.

Motion by Joe M. seconded by Henry to grant the 7'2" height variance requested.

Roberti – yes; Goldberg – no; Mayone – yes; Rua – yes; Sawchuk – no

The vote is 3 yes, 2 no. The motion is passed.

DISCUSSION

1. The minutes for April amended and approved on Motion of Jeanne seconded by Joe R. 5/0. Amendment: Secretary to refer to county.

2. Planning Board minutes for March and April received.

3. Copy of letter from Building Inspector to Steyer's received.

4. B.S.K. Legal conference May 10 in Albany. No one interested.
Training session on enforcement Williams Lake May 9. Brian and Nancy to attend.
5. Town Board passed moratorium on subdivisions. Changed from two lots to more than four. Projects with conditional approvals may continue.

Next meeting June 4, 2007 at 7 pm at Frank D. Greco Senior Center.

Meeting adjourned on Motion of Henry seconded by Joe Mayone