

**MEETING – March 2, 2005**

The regular Monthly Meeting of the Zoning Board of Appeals was held on Wednesday, March 2, 2005 at 7:00 p.m. at the Town of Ulster Town Hall, Lake Katrine, N.Y.

Secretary called the roll:

Present: Nelson White  
John Crispell  
Steve Burnham  
Donald Wise - Chairman  
Thomas Turco - Absent

Motion to open annual meeting made by Mr. White and seconded by Mr. Crispell. All were in favor.

Motion to table approval of minutes from February 2, 2005 meeting made by Mr. Crispell and seconded by Mr. Burnham. All were in favor.

Motion to move Old Business before Preliminary Hearings made by Mr. Crispell and seconded by Mr. Burnham. All were in favor.

**FILOMENA BUONCORE --- FILE # 169—TAX MAP # 48.16-1-22---151-159 OLD FLATBUSH ROAD---ZONE R-30**

Mr. Viviani was present to represent Mrs. Buonocore the property owner. Mr. Viviani states that the land in question has been a mobile home park for over thirty years. Mr. Viviani does not understand why he is in front of the board. Mr. Viviani states that the matter will cease to exist in about 1 ½ months. He states he is selling the property and the purchaser will be turning the park into two lots with homes. He states that if the board would wait 2 months there would be no issues. Mr. Viviani shows the board a preliminary agreement for contract of sale. Mr. Wise states that this does not pertain to the variance. The variance is to operate a mobile home park in a residential zone. Mr. Viviani states that this has been a mobile home park for over 30 years. Mr. Wise states that although it is a mobile home park it has not been a legal mobile home park for many years. Mr. Burnham states that he reread the paperwork pertaining to this file to get a feel of what was going on he states that there were nine notices of violation in a 20 year span. Mr. Burnham asks if there were still tenants in the park. Mr. Viviani answers yes the same number as last month. Mr. Burnham states his concern is that the last letter of violation was given in April of 2004 and the violations have yet to be cleared. Mr. Burnham then reads the report for the Ulster County Arson Task Force on a fire that occurred in one of the mobile homes in the park. Mr. Viviani states he never received this report. Mr. White states that Mr. Viviani's application is not complete, it is missing the description of request and description of property is incomplete. Motion to close the hearing made by Mr. Crispell and seconded by Mr. Burnham. All were in favor. Motion to deny request

for Public Hearing on the request to operate a Mobile Home Park in a residential zone made by Mr. White and seconded by Mr. Burnham. All were in favor. **Request for a Public Hearing denied.**

**MARSHALL SIGN CORP. FOR PRESTIGE HYUNDIA---FILE # 171---TAX MAP # 48.50-2-6--- 756 EAST CHESTER STREET KINGSTON, NY 12401---ZONE HC**

Peter May was present to represent Hyundai; he explains what the signage will look like. Mr. May states that the letters for the sign are blue as this is a more subtle color. This business is in a commercial area so the signage does not affect the character of the neighborhood. There were no questions from the board. Motion to hold over for a Public Hearing made by Mr. White and seconded by Mr. Burnham. All were in favor. Mr. Wise states that the Town Board is entertaining a change in the towns sign laws. It is unclear at this point what he changes will be or if they will affect this sign.

**EDWARD & CYNTHIA ORTLIEB --- FILE # 172--- TAX MAP # 39.16-4-30---24 DEER RUN ROAD KINGSTON, NY 12401---ZONE R-10**

Mr. Ortlieb was present to represent himself. Mr. Ortlieb explains that he needs a 5 foot variance in the front setback of a proposed road for a proposed front porch. Mr. White states that he visited the site and the road has yet to be constructed, he questions if it has been surveyed for a road. Mr. Ortlieb states he has never seen any markings for the road. Mr. Ortlieb states that all the surveys were done in the early 80's when the subdivision was first approved. Mr. Ortlieb states that only one corner of the porch will be within the setback. There are no other questions from the board. Motion to close Preliminary Hearing made by Mr. Crispell and seconded by Mr. Burnham. All were in favor. Motion to hold over to Public Hearing made by Mr. Burnham and seconded by Mr. Crispell. All were in favor.

**S&R COMPANY OF KINGSTON---FILE # 168---TAX MAP # 48.8-1-34.210--- FOR 735 FRANK SOTTILE BLVD. (GANDER MOUNTAIN) ---ZONE RC**

Jason Van Alstyne was present for S & R and Gander. Mr. Van Alstyne explains the proposed signage. Pictures of what the signage looks like and where it will be located. He explains that the square footage that is being requested is combined signs. He states that this type of signage is typical for Gander. Mr. Wise again states that the Town Board is looking at increasing square footage on signage. Mr. Wise reads the Ulster County Planning Board referral response. Mr. Van Alstyne states that this signage also acts as directional signage as the storefront is hidden from the roadways. Comments from audience members about the current sign law and proposed laws. Mr. Van Alstyne discusses other options there could be. White states that a 565 square foot variance bothers him but a plus is that the square footage is on more than one sign. There is discussion on other options Gander has to lower the amount of square footage of the variance. Mr. Wise states that he feels Gander Mountain has done a excellent job in presenting their request and is subject to approve their variance as requested. Mr. Burnham asks for the size of the Gander Mountain logo. Motion to approve the variance made by Mr. White and seconded by Mr. Crispell. All were in favor. **Variance for 136 square feet on the West side of the building, 136 square feet on the South side of the**

**building, 519 square feet on the East side of the building and 263 square feet on the North side of the building is granted.**

**KENCO HOLDINGS ---FILE # 169---TAX MAP # 48.13-2-2 --- 1000 HURLEY MOUNTAIN ROAD KINGSTON, NY ---ZONE HC**

There were no representatives for Kenco present. Motion to hold over to the April 2, meeting made by Mr. Burnham and seconded by Mr. Crispell. all were in favor.

Motion to adjourn made by Mr. Crispell and seconded by Mr. White all were in favor.  
Meeting adjourned at 8:04

Respectfully Submitted,

Mary Secreto  
ZBA Secretary