

ZONING BOARD OF APPEALS NOVEMBER 1, 2006

The regular monthly meeting of the Zoning Board of Appeals was held Wednesday, November 1, 2006 at 7:00 p.m. at the Town of Ulster Town Hall, Lake Katrine, NY 12449.

Present:
Mark Kaiser
Karen Markisenis
Nelson White
Donald Wise
John Crispell –Chairman

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TOWN OF ULSTER

Motion to open meeting made by Mrs. Markisenis. and seconded by Mr. White. All were in favor.

Motion to open Public Hearings made by Mr. Wise and seconded by Mr. White with all in favor.

GERARD GRETZINGER

Mr. Gretzinger appeared on behalf of the application for an 8' fence that is in the front setback. Mr. Gretzinger states that he hired a contractor to put up his fence and was not aware that the fence was too high. The fence was put up in the spring to provide privacy for an above ground pool. Mr. Gretzinger became aware of the violation when he received a letter from the Building Department. (The lot is a corner Lot). Mrs. Markisenis states the fence is a negative impact on the neighborhood as the neighbor also has a fence that is lower. A motion to close the Preliminary Hearing was made by Mr. Wise and seconded by Mrs. Markisenis. A motion to move to a Public Hearing was made by Mr. Wise and seconded by Mr. Kaiser with all in favor.

GLODE SIGN

Nancy Forrest appeared on behalf of the application for an area variance for a wall sign. The variance will be for 8 square feet. The applicant states there is a freestanding sign on the site but all the businesses on the site are not on the sign. The wall sign will help end confusion on what building to go to once in the site. The applicant also states that there are at least 6 other businesses in that area that have signs larger than allowed Motion to close the Preliminary Hearing made by Mr. Wise and seconded by Mrs. Markisenis. Motion to move to a Public Hearing was made by Mr. Wise and seconded by Mr. White. All were in favor.

EDWARD AKINS & JANET PECK

Edward Akins appeared on behalf of the application for an area variance to replace a mobile home with a larger one. The new home will be in the side setback. The applicant has submitted letters from two adjoining neighbors stating they have no problem with the new house. Mrs. Markisenis states that a new home would be an improvement of the site. A motion to close the Preliminary Hearing was made by Mrs. Markisenis and seconded

by Mr. White. A motion to hold over to Public Hearing made by Mr. Wise and seconded by Mrs. Markisnesis with all in favor.

Motion to open Public Hearing made by Mr. Wise and seconded by Mr. White with all in favor.

STEWART WINN

Mr. Winn appeared on behalf of the application for a variance for a deck that is within the rear setback. Mr. Winn states he is looking for a variance of 8' for a rear deck. Mr. Winn reminds the board that photos have been submitted. A motion to approve the variance was made by Mr. Wise and seconded by Mrs. Markisenis with all in favor.

QUICK CHEK- 9W

Howard Geneslaw appeared on behalf of the application for variances on loading spaces, drive aisle width and lighting. Mr. Geneslaw also requested interpretations on parking in the side setback and signage. Mr. Geneslaw reviewed the project with the Board. Mr. Geneslaw requested the Boards interpretation on (1) whether accessory parking is permitted to be located in the side yard setback of proposed Lot 3.4 in accordance with section 190-18.I of the Zoning Code and (2) whether a freestanding sign is permitted for each of the three proposed lots in accordance with section 190-33.B.9.(a) of the Zoning Code. After lengthy discussion the Board unanimously agreed that parking is allowed in the side setback, the Board stated that pavement is allowed so parking should be. The Board also unanimously agreed that the three parcels are one site therefore one freestanding sign is allowed. The applicant will revise their plans and submit an application to the Board on signage. A motion to grant a variance for lighting aisle width and loading spaces was made by Mr. Wise and seconded by Mr. Crispell. Roll call vote was taken:

Mr. Wise yes Mr. Kaiser yes

Mr. White yes Mr. Crispell yes

Mrs. Markisenis no for lighting - yes for loading spaces and drive aisle

FILOMENA BUNOCORE

Robert Panasci attorney for the Filomena Bunocore appeared before the Board on behalf of an application for a use variance. Mr. Panasci reviewed the paperwork he submitted to the Board. Mr. Panasci states that if the use variance is granted the applicant will do whatever is necessary to obtain the proper approval from the Health Department. After lengthy discussion on the paperwork submitted the Board referred the file to the Ulster County Planning Department. The Hearing will remain open until the comments from the County Planning Board are received. The Board also requested more information on the adequacy of the septic system.

Motion to adjourn made by Mr. Wise and seconded by Mr. Kaiser all were in favor.

Meeting adjourned at 8:25

Respectfully Submitted,

Mary Secreto