

Town of Ulster  
Zoning Board of Appeals  
September 5, 2012

The regular monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on September 5, 2012 at 7:30 P.M.

Present:

Robert Porter- Chairman

John Crispell

Donald Genther

Elizabeth Kyriacou

A motion to approve the minutes from the September meeting was made by Mr. Crispell and seconded from Mrs. Kyriacou. All were in favor.

**Paul Hakim/ MHAK Holdings**

A motion to open the preliminary hearing was made by Mr. Genther with a second from Mr. Crispell with all in favor.

Paul Hakim appeared on behalf of the application for a use variance to convert a 2 family dwelling into a 3 family. The house is located in an OM district; the Town code states that 1, 2 and 4 family dwellings are allowed in but not 3 family therefore it requires a variance. Mr.Hakim stated the house belonged to his Grandmother and he and his brother recently purchased it form other family members. The house currently has 4 bedrooms and will continue to have 4 bedrooms; there will be 2, 1bedrooms apartments and 1, 2 bedroom apartment The house is located on a 1.235 acre parcel. Mr. Porter questioned why 3 family dwellings were not allowed.

**Action:** A motion to schedule a public hearing was made by Mr. Crispell with a second from Mr. Genther with all in favor.

**Quick Chek Washington Avenue**

A motion to adjourn was made by Mr. Crispell with a second from Mr. Jacobsen; all were in favor. Jeff Albanese and Keith Cahill appeared on be half of the application for Quick Chek. The site is located on the corner of Washington Avenue and Sawkill Road, Quick Chek is proposing a 6,584 sq ft store with 12 gas pumps. The application is currently being reviewed by the Planning Board and has been referred to the ZBA for three variance request. The first request is for the height of a fence and retaining wall. An eight foot retaining wall with a four foot fence will need to be built in the rear of the site as the site needs to be raised. The second request is for higher lighting on the site. The code states lighting levels will not exceed two foot candles for parking areas and eight foot elsewhere. For the safety of their customers the applicant is requesting higher

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lighting levels. All the fixtures will be full cutoff downlit LED lighting. The last request is for signage. There will be wall signs facing Washington Avenue and Old Sawkill Rd. (paper road); both will require variances. The Washington Avenue wall sign request is for 57.8 square feet the Old Sawkill Road and 70.3 square feet. The applicant had proposed a freestanding sign that met the height requirements but the Planning Board requested a monument sign. The monument sign will require a variance for 4' for the height and 49.9 square feet for the area. This variance is needed as the applicant needs to have room to advertise the site and the prices. If a pole sign is placed on the site a variance would not be required. The Board reviewed the sign designs and elevations of the building. A short discussion followed on the site and how much fill was going to be required to raise the site above the flood plain.

**Action:** A motion to refer to the Ulster County Planning Board for review was made by Mr. Crispell with a second from Mr. Genther with all in favor.

A motion to adjourn was made by Mr. Genther with a second from Mr. Crispell with all in favor.

Respectfully Submitted  
Mary O'Bryan-Secreto  
Zoning Board Secretary