

Town of Ulster
Zoning Board of Appeals
November 7, 2012

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

Present:

Robert Porter- Chairman

John Crispell

Donald Genther

Arnold Jacobson

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

Millens Recycling

A motion to open the Public Hearing was made by Mr. Genther with a second from Mr. Crispell. Donald Brott appeared on behalf of the application for a fence that will be 6 to 8 feet in height. The fence will be in the front setback along Kieffer Lane; the fence will enclose the site. No one appeared for or against the request. A short discussion of the site followed.

Action: A motion to allow a 6 to 8 foot fence in the front setback was made by Mr. Crispell with a second from Mr. Genther with all in favor.

WHEREAS, Millens Holdings LLC 2-4 Kieffer Lane. Kingston, New York 12401, Zone OM, has requested an area variance for Tax Map Parcel # 48.66-2-2.100 and

WHEREAS, The applicant seeks a variance to place a 8' high fence that will be within the front setbacks and,

WHEREAS, The Town of Ulster Zoning Board of Appeals has duly advertised for a Public Hearing in the Kingston Freeman and has held a Public Hearing at the Town of Ulster Town Hall at 7:30 P.M. on November 7, 2012.

WHEREAS, no one appeared at the Public Hearing; and;

WHEREAS, under section 239.m of the General Municipal Law the County of Ulster Planning Board has no jurisdiction: and,

WHEREAS, The members of the Zoning Board of Appeals have determined that the fence will have a minor effect on the vicinity and is needed to secure the site, therefore,

BE IT RESOLVED that a variance for an 8' fence within the front setback is granted.

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Quick Chek – Washington Avenue

Derrick Jordon appeared on behalf of the application for variance request for fencing over 4 feet in height in the front setback, a monument sign that will be over 8' in height, 2 wall signs over 50 sq ft and lighting above the allowed foot candles. Mr. Jordon reviewed the plans with the Board. Drawings of the signage as well as the lighting plans were reviewed by the Board. A short discussion on the placement of the wall and fence followed; the fence and wall will be at the rear of the site facing Chandler Drive (Rt 587). The Board members stated the Quick Chek will be an improvement of the site. The signage is tastefully done and adheres to the Comprehensive Plan. Mr. Crispell stated the higher lighting levels were needed on the site for security reasons. No one appeared for or against the request.

Action: A motion to override the Ulster County Planning Board and grant all variance requested was made by Mr. Crispell with a second from Mr. Jacobsen. A roll call vote was taken with all in favor.

WHEREAS, Quick Chek Corporation, 640-642 Washington Avenue. Kingston, New York 12401, Zone HC, has requested variances for Tax Map Parcel # 48.14-3-35 & 37.2 and

WHEREAS, The applicant seeks 4 variances;

1. Lighting Levels that will be higher then allowed by Section 190-27.I (1.21 fc in parking areas and 10.70 fc in non parking areas).
2. Fencing and a retaining wall that will be over 8' in height in the front setback.
3. Two (2) wall signs that will be over the permitted 46.5 & 34 square footage.
4. A monument sign that will be 6' over the allowed height and 50' over in sign area

WHEREAS, The Town of Ulster Zoning Board of Appeals has duly advertised for a Public Hearing in the Kingston Freeman and has held a Public Hearing at the Town of Ulster Town Hall at 7:30 P.M. on November 7, 2012.

WHEREAS, no one appeared at the Public Hearing; and;

WHEREAS, Under section 239.m of the General Municipal Law the County of Ulster Planning Board has disapproved the request for the signage variance and has a required modification on the color of the LED lighting on the monument sign; and,

WHEREAS, The members of the Zoning Board of Appeals have determined the signage is similar to signage that is on another Quick Chek site and is not undesirable and will not have an adverse effect on the area, therefore,

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BE IT RESOLVED that the Town of Ulster Zoning Board of Appeals overrides the Ulster County Planning Board with the Board voting 4-0; Chairman Porter and Members Crispell, Jacobsen and Genter voting aye; Member Kyriacou being absent. All variances requested are granted.

Respectfully Submitted,

Mary O'Bryan-Secreto
Zoning Secretary