

Town of Ulster  
Zoning Board of Appeals  
June 4, 2014

The regular monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on June 4, 2014 at 7:00 P.M.

Present:

John Crispell

Elizabeth Kyriacou

Fred Wadnola (arrived late)

George Carlson – Chairman

A motion to approve the minutes of the May meeting was made by Mr. Crispell with a second from Mrs. Kyriacou with all in favor.

**Richard Scherr–**

Mr. Scheer appeared on behalf of a request for an addition that will be 5' in the side setback. The Public Hearing was held in May.

**Action:** A motion to grant a variance of 5' in the side setback for an addition was made by Mr. Crispell with a second from Mrs. Kyriacou; all were in favor.

WHEREAS, Richard Scherr 210 Privatewood Court , Zone R60, has requested an Area variance for Tax Map Parcel # 39.16-5-31;and

WHEREAS, The applicant seeks a variance to construct an addition that will encroach the side setback 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 7:00 P.M. on May 7, 2014 and,

WHEREAS, no one appeared against the requested variance and,

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

WHEREAS, The members Zoning Board of Appeals have determined that the request is minor and, therefore,

BE IT RESOLVED that a 5 foot variance in the side setback is granted.

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**Juergen Beneke – Public Hearing**

Mr. Beneke appeared on behalf of the request to convert an existing barn to an office and storage for an internet business. Mr. Beneke stated he purchased the parcel in 2005 and has been trying to sell it for the last three years; he dropped the selling price another \$10,000. The property was purchased for \$315,000 and is now on the market for \$229,000. There will be no changes onsite; only the barn being renovated. UPS will deliver the product as needed (in normal delivery trucks). Mr. Kovacs questioned Mr. Beneke if he knew the property was residential when he bought it; Mr. Beneke stated yes. Mr. Beneke stated if his business is a success he hopes to move to a larger storage building; but at this time he cannot afford to do that; the property was purchased as an investment. It was never an intention to change the property. Mr. Crispell questioned how much money has been invested in the new business; Mr. Beneke stated at least \$67,000. Mr. Carlson stated that the Board received a letter from a neighbor that is against the variance; and would like to table the request to the July meeting.

**Action:** A motion to move to a Public Hearing in June was made by Mr. Crispell with a second from Mr. Wadnola. All were in favor.

**Timely Signs for Ulster Properties LLC – Public Hearing**

Ozzie Beichert appeared on behalf of the application for a monument sign for the MGMH Medical Building. The County voted against the signage. Mr. Beichert stated the site is in an OM district which is only allowed 50 sq ft across the street they are allowed 100 sq ft. Mr. Crispell stated the sign is reasonable and tastefully done. Mr. Carlson stated the site is large and the buildings are all setback. Mr. Wadnola stated all tenants will be on one sign.

**Action:** A motion to grant the variance and override the County recommendation was made by Mr. Carlson with a second from Mrs. Kyriacou with all in favor.

WHEREAS, Timely Signs for 1561 Ulster Properties, 1561 Ulster Avenue Kingston New York 12401, Zone OM, has requested an area variance for Tax Map Parcel # 39.82-2-7.111 and

WHEREAS, The applicant seeks a variance for signage that exceeds the square footage allowed 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 7:00 P.M. on June 4, 2014 and,

WHEREAS, no one appeared at the Public Hearing; and

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WHEREAS, under section 239.m of the General Municipal Law the County of Ulster Planning Board has determined the request should be denied: and,

WHEREAS, The members Zoning Board of Appeals have determined that the surrounding area primarily consist of commercial uses and the sign will not adversely effect the area and, therefore,

BE IT RESOLVED that a variance of 46 square feet for monument sign granted.

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

Respectfully Submitted,  
Mary O'Bryan-Secreto  
Zoning Board Secretary