

Town of Ulster  
Zoning Board of Appeals  
October 4, 2017

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on October 4, 2017 at 7:00 P.M.

Present:

George Carlson  
Frederic Wadnola

Brian Ilgner  
Geoffrey Ring – Chairman

Absent:

Renato DiBella

A motion to approve the minutes for last month was made by Mr. Carlson with a second from Mr. Wadnola; all in favor.

## **PRELIMINARY HEARING**

### **Jesus Torres for Scott Hildebrandt**

Scott Hildebrandt appeared on behalf of an application for an Area Variance to place a 6 foot fence within his front setbacks at 337 Lucas Avenue. The project had been previously reviewed at an earlier date to be place within a Town Right-of-Way, which was denied. The applicant came back with an application to move the fence out of the ROW and into his front setbacks, which would need an area variance to have a 6' fence, instead of the allowed 4' as per Town Code. Mr. Hildebrandt stated that he has children and animals and people are constantly parking on his property to go to Stewart's Shop across the road, and he'd like to keep the 6' height for privacy for his children playing in the yard. Mr. Hildebrandt also mentioned that there are other 6' fences in the neighborhood that line up directly with his fence. There was a brief discussion that followed.

Action: A motion to forward to a Public Hearing was made by Mr. Ilgner, with a second from Mr. Ring; all in favor.

### **Meineke – Sign Variance**

Joe LaManna appeared on behalf of the application for a Sign Variance for Meineke Car Care. Meineke currently has an illuminated sign with a reader board underneath, that he would like to replace with two back-to-back LED signs, with possible letter scrolling capability. The Board asked Mr. LaManna if the sign would be similar to the one at Stage 1, and he said that it would. Mr. LaManna stated that he will keep the sign stationary if he has to, but he would like the option to scroll. Mr. LaManna said that as the business is set back from the road vertically, instead of horizontally, and he would like to be seen from the busy road.

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**Action:** A motion to forward this to a Public Hearing in November was made by Mr. Wadnola with a second from Mr. Carlson; all in favor.

## **PUBLIC HEARING**

### **Delma Braswell – Sign Variance**

Delma Braswell appeared on behalf of the application for an area variance to place an 18' x 21' carport within his side setback at 94 Hillside Terrace. He is proposing a 4' setback (a variance of 16'). The Public Hearing was opened. As the applicant was not present at the initial Public Hearing the previous month, Mr. Braswell stated he updated himself with the minutes and that he understood that his neighbors, Ms. Ausanio's, concern was regarding the snow load, to which, he stated, if the snow fell off the roof, it still would not be close to her house. Mr. Braswell also stated that he raised the snow load capacity to 65 lbs. per square foot, in comparison to the required 40 lbs. Mr. Braswell stated that he is looking to have better accessibility for his handicap wife. Mr. Braswell stated that the property marker had been moved, and that he will have it resurveyed and replace the pin before he constructs the carport. Mr. Ring asked if anyone had any comments. Mr. Ausanio asked what the measurements of the carport were and if it fits within the variance request and what the maximum height allowed would be. There was a brief conversation. Mr. Ring closed the Public Hearing.

**Action:** A motion to adjourn the Public Hearing to the November 4<sup>th</sup> meeting was made by Mr. Carlson, with a second from Mr. Ilgner; all in favor.

### **James Augustine – Area Variance**

James Augustine appeared on behalf of the application for an area variance to place a shed with a carport attached or a garage within his side setback on 39 Lainey Lane. Mr. Augustine is asking for a 5' setback (variance of 15'.) Mr. Augustine stated that he still was not sure on whether he wanted a shed with a carport attached. Mr. Augustine stated that he will have to extend his driveway into the backyard and build on the flat area of the yard. Mr. Ring asked Mr. Augustine if the structure would be even with the neighboring house or the neighboring house's backyard, to which Mr. Augustine stated it would be even with the back yard. Mr. Augustine stated that this structure would be used for parking vehicles and/or yard equipment. Mr. Augustine stated that he was "shooting-for-the-moon" with a 5' variance, and that he would be happy with a 10' setback if necessary, and build a smaller structure. A brief discussion followed. No comments from the gallery.

**Action:** A motion to adjourn the Public Hearing to the November 4<sup>th</sup> meeting was made by Mr. Carlson, with a second from Mr. Ring; all in favor.

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**Lia Honda – Sign Variance**

Joe Mihm appeared on behalf of a re-vote on Lia Honda. The Public Hearing was opened. Mr. Mihm stated that he understood that this meeting was being held to review the Ulster County Planning Board's comments. Mr. Mihm stated that Lia Honda is just following the branding requirements that their company holds. A brief discussion regarding the comments followed.

**Action:** A motion to override the County's modifications was made by Mr. Ring with a second from Mr. Carlson; all in favor. A motion to grant the Sign Variance was made by Mr. Carlson, with a second from Mr. Ring; all in favor.

A motion to adjourn the meeting was made by Mr. Carlson, with a second from Mr. Ring; all in favor.

Respectfully Submitted,  
Gabrielle Perea  
Zoning Board Secretary