

Town of Ulster
Zoning Board of Appeals
September 2, 2009

The regular monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on September 2, 2009 at 7:00 P.M.

Present:

John Crispell

Donald Genther

Karen Markisenis

Robert Porter - Chairman

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

Quick Lane Public Hearing

Donald Brott appeared on behalf of the application for an area variance for a pylon sign. Mr. Brott states the applicant is moving forward with site plan approval and has designed a master sign plan for the site. The sign is a corporate identity sign and will be placed on the site at the bottom of the hill on a separate parcel. Mr. Brott shows the Board pictures of the sign. Mr. Genther states the site is below road level and the pylon sign will help people locate the business. Mrs. Markisenis concurs with the County Planning Board stating local people will know where the business is and they do not need extra signage. Mr. Crispell states the parcel is in a commercial area; with the economy the way it is the Board should help businesses that keep locals employed. Mr. Porter also states that the site is below road level and the building is not visible from the road; in this economic environment the Board should help a local business. The County Planning Board recommendation was to deny the variance.

Action: A motion to approve the pylon sign was made by Mr. Genther and seconded by Mr. Crispell. A roll call vote was taken.

Mr. Genther-YES; as the site is below road level; people need to know where businesses are for the business is going to survive.

Mrs. Markisenis- NO; the sign ordinance should be followed the request is not necessary.

Mr. Crispell – YES; the site is in a depression and the Board has a responsibility to keep local employed.

Mr. Porter – YES; due to the site the hardship is on the business, identification of a business is necessary for a business to survive.

Due to the need of a majority plus one vote the variance is denied.

Mr. Brott requested the Public Hearing for the wall sign be held open. The Board granted the request.

White Castle - Preliminary Hearing

Mr. Michael Moriello & Marc Pilotta appeared on behalf of the application for a variance to obtain a second sign on the site. Mr. Moriello explains a permit for signage was denied by the Building Department as the Town code states any sign which, for a period of ninety (90) consecutive days, has not correctly advertised a bona fide business shall be considered abandoned and non-conforming. Because of this the applicant requires a variance to keep the sign that is currently on the site. Mr. Moriello states he has completed a Short Environmental Assessment Form as per SEQRA requirements. The sign will be in the same location as the Midas sign but will be lowered by 30' and the sign area will be reduced from 70' to 59'. A discussion on the Section 190-34 (D) of the Zoning Law followed. Mr. Pilotta states white Castle feels the sign is very important to their business; he goes on to stating that other upgrades on the site will be completed as well as signage. After a short discussion on the site and the sign (pole vs. monument) the Board agreed to forward the application to the County Planning Board and schedule a Public Hearing for the October meeting.

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

Respectfully Submitted,

Mary Secreto
Zoning Secretary