

Town of Ulster  
Zoning Board of Appeals  
October 6, 2010

The regular meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on October 6, 2010 at 7:00 P.M.

Present:

John Crispell

Donald Genther

Robert Porter

Elizabeth Kyriacou

Karen Markisenis - Chairperson

A motion to approve the minutes from the September 1st meeting was made by Mr. Genther with a second from Mr. Crispell with all in favor.

**Daniel Couse**

Daniel Couse appeared on behalf of an application for an area variance that will be 10' into the rear setback. Mr. Couse stated his back door is 15' from the property line; he would like to build a deck that will be 10' wide. The property in the rear is vacant at this time but there is a proposal to build a house in the near future. Mr. Couse stated he plans on planting shrubs on the rear property line. A motion to hold over to a Public Hearing was made by Mr. Crispell with a second from Mr. Genther. All were in favor.

**Ronald and Linda Austin**

Ronald and Linda Austin appeared on behalf of an application for an area variance for a 1 story addition that will be within the side setback. The addition will be 11.5' from the property line: Mr. Austin stated they wanted to put the addition in the rear of the house but could not because of the septic system. Mr. Austin stated his neighbor has no objections to the addition. A motion to hold over to a Public Hearing was made by Mr. Genther with a second from Mr. Crispell. All were in favor.

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**JP Morgan Chase Bank**

Jennifer Porter and John Taylor appeared on behalf of the application for 6 area variances. Ms. Porter stated some of the variances need to be obtained because the Planning Board is making the applicant subdivide the parcel; the proposed lease line will now be a subdivision line.

The building will be 4'9" from the new property line. If the applicant enlarged the property line maintenance issues would occur. The other variance that will be required because of the subdivision is a variance for the existing freestanding Hannaford sign. This sign will be 3.5' from the property line. John Taylor stated Town Code requires any building over 4,000 sq ft requires a loading zone; a bank does not have any need for a loading zone therefore the applicant is requesting a variance to eliminate the loading zone. The variance for a parking space within the front setback is also requested. There is one parking space in the front of the site that 10 to 15% of the space is within the 10' front setback, this occurs because the property line in the front of the site is angled. The applicant is also requesting a variance of 2'9" and 7/8 inches for the height of a freestanding sign; the original sign was 24' but the applicant has agreed to a lower sign. Ms. Porter stated the spot where the sign will be located is 2' lower than the rest of the site. The last variance request is for lighting; the permitted level of lighting is 3fc (foot candles) the site at this time will have a level of 4.06 fc. The engineers are continuing to work on the lighting and hopefully will reduce the level. Ms. Porter stated that there is a possibility that the lighting variance will not be needed. A motion to hold over for a Public Hearing was made by Mr. Crispell with a second from Mr. Genter. All were in favor

A motion to adjourn was made by Mr. Genter with a second from Mr. Porter. All were in favor.

Respectfully Submitted,

Mary Secreto  
Zoning Secretary