

ZONING BOARD OF APPEALS

Meeting Minutes

July 26, 2012

7:30 PM

NEW BUSINESS:

APPEAL #975A, B, C – WILLIAMS AREA VARIANCE FOR SIGNS

Grid # 6564-02-529886

Location: 2424 Route 44

Planning Board Referral for Area Variance pursuant to Chapter 98, Section 98-81. Variance is to allow for an increase in the size of both the monument and wall sign to 19 square feet and 30 square feet, due to speed limit of Route 44 and difficulty in viewing the signs. Also requested is a variance to allow for a third sign on the west wall of the existing building.

APPEAL #975A & B WERE GRANTED, 975C WAS WITHDRAWN FROM THE APPLICANT

APPEAL #976 – SALF POINT FIRE COMPANY AREA VARIANCE FOR SIGNS

Grid # 6465-02-680842

Location: 59-61 Cottage St.

Planning Board Referral for Area Variance pursuant to Chapter 98, Section 98-81. Variance is to allow for an increase in size, illumination and utilization factors.

APPEAL #976 HAS BEEN WITHDRAWN BY THE APPLICANT

PLEASANT VALLEY ZONING BOARD OF APPEALS
August 23, 2012

The regularly scheduled meeting of the Pleasant Valley Zoning Board of Appeals was held on August 23, 2012 at the Pleasant Valley Town Hall, Route 44, Pleasant Valley, New York. Chairman Dunn called the meeting to order at 7:38 p.m.

Present: Chairman John Dunn; Board members Robert Maucher, Sharon Wilhelm, Steve Kish, Ed Feldweg; Secretary: Maura Kennedy; Board member Ron Vogt & Tim Gerstner were absent and excused.

NEW BUSINESS:

APPEAL #975A,B & C – Williams Area Variance for Signs

Grid #6564-02-529886

Location: 2424 Route 44 (Zone MC)

This item was on the agenda for a Planning Board Referral for Area Variance pursuant to Chapter 98, Section 98-81.

Variance is to allow for an increase in the size of both the monument and wall sign to 19 square feet and 30 square feet, due to speed limit of Route 44 and difficulty in viewing the signs. Also requested is a variance to allow for a third sign on the west wall of the existing building.

Chairman Dunn indicated that in order for the ZBA to approve a variance that received a negative recommendation from the D.C. Planning Department, a super majority was necessary (5 votes). Since there were only 5 members present, they would all have to vote in the affirmative. The Chairman therefore asked the applicant if she would prefer to appear when a full board (7 members) was present. The applicant replied in the affirmative but asked that a special meeting be called due to the timing of the business opening. The Chairman polled the board and all were in favor.

The **SAID HEARING** will take place on September 6, 2012 at the Pleasant Valley Town Hall, 1554 Main Street, Pleasant Valley, N.Y, and begin at 7:30 p.m.

APPEAL #976 – RESIDENT, DARRIN HOFMANN, VARIANCE FOR FENCE

Grid # 6565-01-166878

Location: 221 Hibernia Road (Zone LDR)

Referral to the Zoning Board for Area Variance pursuant to Chapter 98, Section 98-28. The fence installed at the above location is not in compliance with the previous or the current Town of Pleasant Valley Zoning Code with respect to fence height and location.

The applicant is requesting an area variance for his existing fence that was installed approximately between 2004-2008. Chairman Dunn also read into the record the memo from the Zoning Officer which is also a part of the appeal file. Mr. Hoffman was sworn in. The applicant

proceeded to explain his request for an area variance for his fence which he indicated had to be installed the way it was to obstruct the view of his neighbor's house and property which was in deplorable condition. The applicant indicated that he had planted mature arborvitae along the fence to ensure it was aesthetically and visually pleasing to his surrounding neighbors. Discussion with the board centered on how the fence had been installed and why there were sections of the fence that exceeded 6 feet (to 8 feet). The photos of the fence were presented to the board along with the application.

Chairman Dunn opened the floor to the public.

Dawn Morano residing at 215 Hibernia Road requested to speak. Chairman Dunn swore resident, Dawn Morano in. Ms. Morano indicated that structurally the fence was in good condition, however it did have portions exceeding the 6ft. height limit. She also indicated that a black netting had been put on the fence which was not visually pleasing from her property. She also indicated that the zoning violations on her property had been taken care of. Ms. Morano indicated that she would like the fence brought into compliance and wants the fence remedied.

Chairman Dunn asked the Board members if they had any questions for either the applicant or for any one in the audience. One resident, Patty Carter had a question, she was sworn in.

Ms. Carter's question was relative to what type of support structure could be used for a fence and weren't railroad ties normally used for support. The board commented that railroad ties could be used for supporting fence structure.

Chairman Dunn closed the public portion of the hearing.

The resolution granting the Area Variance was introduced by Chairman Dunn, seconded by Board member Ed Feldweg and passed 5-0 in favor, 2 absent and is part of this applicant's ZBA file.

The motion to close the meeting was introduced by Chairman Dunn, seconded by Board member Robert Maucher and passed 5-0 in favor, 2 absent.

Respectfully submitted,
Maura Kennedy
Secretary

The foregoing represents unofficial minutes of the August 23, 2012 Pleasant Valley Zoning Board of Appeals meeting. They should not be construed as the official minutes until approved.

_____ Approved as read

_____ Approved as corrected with deletions/additions