PLEASANT VALLEY ZONING BOARD OF APPEALS
February 27, 2014

The regularly scheduled meeting of the Pleasant Valley Zoning Board of Appeals was held on February 27, 2014 at the Pleasant Valley Town Hall, Route 44, Pleasant Valley, New York.

Present:	**Chairman:**	**John J. Dunn**
	Board Members:	Robert Maucher
		Katleen Myers
		Sharon Wilhelm
		Timothy Gerstner
		Stephen Kish
		Michael Schroeder
	Secretary:	Maura Kennedy

The meeting was called in at 0730 p.m as scheduled.

Chairman Mr. John Dunn, welcomed everyone and iintroduced the topics for discussion.

1. Pleasant Valley – Citgo Gas Station
Grid #6564-02-808968
Location: 2551 Rt. 44
Area Variance Request for sign

Chairman, Mr. Dunn, read the variances from the Zoning Administrator.

Mr. Kish asked if the Quick Mart belongs to Citgo and it does.

Mr. Dunn asked if there was going to be a canopy, applicant replied yes.

Rob Maucher said there should be a horizontal sign, which was originally proposed but due to visibility it progressed to the current proposal.

John Dunn took a 20 minute wait for the sign people to be present. When the time was up Mr. Dunn asked if there were any additional questions. Chairman Made a motion to close public portion at 7:54, and asked Board to discuss pros/cons.

It is a large variance
What are the hours – 6 to 10 p.m.

Quick mart sign is not lit and complies

Move was taken to adjourn the meeting at 0800 pm, Mr. Stephen Kish seconded the motion.

Sharon Wilhelm said that the only concern is the master plan and the zoning code and these variances are significant.

Mr. Dunn said that it is in a commercial are. There should be a change in the code regarding gas station.

20.19 sq variance

Motioned by Mr. Gestner to take vote in favor.

Secretary polled board.

J. Dunn said variances granted as noted.

Motion to Adjourn by Michael Schroeder 2nd by Steve Kish.

_____Approved as read
_____Approved as corrected with deletions/additions

Cc: Board Member
ZBA File

PLEASANT VALLEY ZONING BOARD OF APPEALS
May 22, 2014

The regularly scheduled meeting of the Pleasant Valley Zoning Board of Appeals was held on May 22, 2014 at the Pleasant Valley Town Hall, Route 44, Pleasant Valley, New York.

Present:	**Chairman:**	**ohn J. Dunn**
	Board Members Present:	dward Feldweg
		Sharon Wilhelm
		Timothy Gerstner
		Stephen Kish
		Michael Schroeder
	Board Members Absent:	Kathy Myers
		Robert Maucher
	Secretary:	Sonia James

The meeting was called in at 0730 p.m as scheduled.

Chairman Mr. John Dunn, welcomed everyone and informed that unless The Board came up with the decisions, they would be meeting till 11 p.m the latest

1. <u>SCHROEDER SITE PLAN LEAD AGENCY</u>
1734 Main Street Pleasant Valley NY
Grid # 6463-01-185734
Owner: Michael Schroeder
Planning Board requests consent for its intent to be Lead Agency

Chairman, Mr. Dunn, moved that we honor the request of Planning Board to be made Lead Agency for Schroeder. Timothy Gerstner seconded the motion. Michael Schroeder recused himself from the decision. Roll was taken and was approved unanimously.

1. CHESTNUT MART OF PLEASANT VALLEY APPEAL # 988A

1902-1904 Route 44, Pleasant Valley NY
Grid # 6463-02-606871. Zoned: MC
Owner: Chestnut Mart of Pleasant Valley, Inc
Applicant requests variances for a monument sign

The owner wants to replace the present sign with a newer digital one. The Chairman notified that the town was in receipt of an affidavit of publication of change from the Poughkeepsie Journal, as well as a positive referral from Pleasant Valley Planning Board, and a list of adjacent property owners that were notified.

Nothing in this regard had been heard from the Dutchess County Planning Board, they may respond soon, but the Chairman suspected that they would come back with a negative response.

As two of the Board members were not present at the meeting, an option was given to the owner of Chestnut Mart, either to wait one month for the decision of all the members or if the owner wanted to go ahead with the Boards decision (with 2 Board Members not Present).

He opted to go with the decision right away, with the present Board Members.

The Chairman asked the owner to introduce himself and was sworn in for a testimony.

The owner introduced himself as Mr. Scott Parker, of 536 Main Street New Paltz, NY.

Testimony was as under:

We are proposing to increase the size of the sign to display prices clearly. New sign would be 4 inches higher than the present sign, and will be 41 ft in parameter instead of 35. We propose to display gas prices in LED, and we will externally illuminate the rest of the sign at the Gas Station.

The Chairman informed the Board Members that the total height of the sign is about 3 inches higher then the existing one. It will be narrower from top and shall be externally illuminated, except for digital gas prices, except for digital gas prices.

Mr. Tim Gerstner – Board Member - wanted to know the dimensions of the sign approved earlier.

Mr. Edward Feldweg – Board Member - made an observation that the eastbound view of the sign was being obstructed by two utility poles and suggested to move the sign 10 or 15 feet away from the poles.

To this the Applicant replied that for now he was working around a smaller budget, but would definitely do something about it in the future,

At this point public portion of the meeting was closed.

Discussions were held between, the Board Member: The Chairman's comments were that the sign was not too large looked better.

Ms. Sharon Wilhelm – Board Member - commented that the Sign should show both Cash and Credit prices for Gas.

Mr. Edward Feldweg, commented that he generally was uncomfortable with large sign, but this one was okay with him.

At this point The Chairman read the ***RESOLUTION – AREA VARIANCES – APPROVAL***, for Chestnut Mart. Mr. Tim Gerstner Seconded the motion. A roll was called and was approved by all the Board Members.

Move was taken to adjourn the meeting at 0800 pm, Mr. Stephen Kish seconded the motion and the meeting of May 22, 2014 was adjourned. Motion was approved 6-0-0.

Motion to adjourn was made and approved at 0820 p.m.

_____Approved as read
__X__Approved as corrected with deletions/additions

Cc: Board Member
ZBA File

PLEASANT VALLEY ZONING BOARD OF APPEALS
June 26, 2014

The regularly scheduled meeting of the Pleasant Valley Zoning Board of Appeals was held on June 26, 2014 at 7:30 p.m. at the Pleasant Valley Town Hall, Main Street, Pleasant Valley, New York.

Present:	**Chairman:**	**John J. Dunn**
	Board Members Present:	Edward Feldweg
		Kathy Myers
		Stephen Kish
		Michael Schroeder
		Robert Maucher
	Board Members Absent:	Sharon Wilhelm
		Timothy Gerstner
	Secretary:	Sonia James

The meeting was called in at 0730 p.m as scheduled. Chairman Mr. John Dunn, welcomed everyone and informed that unless The Board came up with the decisions, they would be meeting till 11 p.m the latest

Netherwood School, ZBA Referral # 989
Grid #: 6265-04-906289
Location: 648 Netherwood Road, Pleasant Valley NY 12569
Sign Permit Application

The Chairman gave all present the proof of publication, list of adjacent neighbors whom letters were sent out, and referral from the Planning Board.

The representative from Netherwood School, Ms. Nancy was sworn in. She withdrew the application. She will re-submit it to the ZBA again.

Schroeder Site Plan, ZBA Referral # 990
Grid # 6463-01-185734, Zoned MDR, 0.19 acres
Location: 1734, Main Street, Pleasant Valley
Applicant requests site plan approval to build a new 2 family dwelling where an existing uninhabitable dwelling is located.
Owner: Michael Schroeder

Michael Schroeder recused himself.

The Chairman gave all present the proof of publication, list of adjacent neighbors whom letters were sent out, and referral from the Planning Board.

Michael Schroeder was sworn in for his testimony.

Mr. Wade Silkworth, of Silkworth Engineering gave the presentation, on Mr. Schroeder's behalf.

Mr. Schroeder explained that he inherited the said property from his uncle, the property had been vacant for the 30 years.

Mr. Dunn, Chairman, read the variances and the board came to a conclusion that code 98-40 (C) does not apply.

Ms. Kathy Myers had concerns about the septic system which were addressed by the applicant.

Mr. Chairman declared the Public hearing open:

1. Mr. Michael Schroeder resident 1742 Main Street, Pleasant Valley NY was sworn in. He told the Board that he was glad that after so long something is being done about the property and it has been an eye sore for last few decades.
2. Next, Mr. James Trendel was sworn in and testified that the house is in a pretty bad shape, and it would be great for the neighborhood, and that he had no issues with the rental property.
3. Mr. Tom Vasti, 1733 Main Street, Pleasant Valley NY was also sworn in . He supported the project wholeheartedly, and stated that this will be beneficial to the area, and will be good for the community and requested the Board to vote in favor.
4. Next Mr. Steve Tinkleman, of Built Parcel Two, offered to speak to the Board. He was sworn in, he claimed that he was in support of the project, but was worried about the gravel driveway right next to his property line. Mr. Tinkleman was worried that too many cars would be going in and out of the driveway thus disturbing the neighbors. He was humbly asked to take his concerns to the Planning Board as, Zoning Board does not handle the site plans.
5. At this point Mr. Tom Vasti, told the Board that this lot was pre-existing. Mr. Tinkleman bought his property later, well

aware of the neighborhood. He requested Board to vote in favor of the variances.

At this point the public part of the hearing was closed. And the Board moved on to the next item on the agenda.

The motion in favor was made and was seconded by Mr. Robert Maucher and was approved 5-0-0. A resolution was read and approved by the Board member 5-0-0 in favor of the site plan.

Goose's Diesel Truck Parts & Service Site Plan and Wetland Permit, ZBA Referral # 991
Grid #6463-02-648952, Zoned MC
Location: 1931, Main Street, Pleasant Valley

Applicant requests site plan approval for new construction of an 8,816 +/- square feet building for sale of truck parts and service of trucks. Owner: Michael Bucey

The Chairman gave all present the proof of publication, list of adjacent neighbors whom letters were sent out, and referral from the Planning Board.

Mr. Bucey authorized Mr. Mark Day of the Day Engineering to represent the case on his behalf. Mr. Day was sworn in . He gave a presentation of the site plan.

Mr. Day explained that he and Mr. Bucey had spent lot of time on this project, and had met with the NY DOT and the neighbors who had no problems with the opening of a repair/retail shop.

The facility will use easterly enterance, current entrance will remain but its view will be blocked by trees and landscaping. Existing garage will be renovated, lots of landscaping and trees will be platned to block the noise also lots of burms will be put in.

Mr. Ed Feldweg, wanted the clarification, as to what kind of Ratil Shop would it be. To this Mr. Day replied that they would be selling Diesel Engine parts. They would do repair/retail Monday thru Friday and on Saturdays only retail would be open.

At this point Public Hearing section of the meeting was opened and public were invited to offer their opinion:

1. Mr. James Ballet of 37, Pleasant View Road, offered to give his opinion, he was concerned about the truck noise starting as

early as 6 in the morning. His basic concern was the element of noise. Mr. Day informed the Board that a noise test was done and Goose's Dielsel passed it with flying colors so they are within the noise limit. Mr. Bellat was also concered about the oil leakage from the parked trucks seeping into the ground, thus getting into the well water. Mr. Dunn told him that the parking or reparing surface will be impervious and there is no question of the oil leakage into the ground.

Mr. Bucey, owner and resident of 431 Masten Road, Pleasant Valley, was sworn in for his tesimony, he gave an explanation of the noise that the neighbors heard early in the morning, he said that as the work to put in the burms has already started. The vehicles come in the morning hours to strat work. This noise will stop once the landscaping is done. Mr. Bucey told the Board that he has lived in this neighborhood for last 23 years and no one has ever complained about the noise.

The Public portion of the meeting was closed at this time.

A resolution was read (attached) and a motion in favor was made and was seconded by Mr. Michael Schroeder and was approved 6-0-0.

The meeting adjourned at 1035 p.m.

_____ Approved as read
__X__ Approved as corrected with deletions/additions

Cc: Board Member
ZBA File

PLEASANT VALLEY ZONING BOARD OF APPEALS
MINUTES OF MEETING
July 24, 2014

The regularly scheduled meeting of the Pleasant Valley Zoning Board of Appeals was held on July 24, 2014 at 7:30 p.m. at the Pleasant Valley Town Hall, Main Street, Pleasant Valley, New York.

Present:	**Chairman:**	**John J. Dunn**
	Board Members Present :	Sharon Wilhelm
		Kathy Myers
		Stephen Kish
		Michael Schroeder
		Robert Maucher
		Tim Gerstner
	Board Member Absent:	Ed Feldweg
	Zoning Administrator:	Michael White
	Secretary:	Sonia James

The meeting was called in order at 0730 p.m as scheduled. Chairman Mr. John Dunn, welcomed everyone and informed that unless The Board came up with the decisions, they would be meeting till 11 p.m the latest

Before starting the public hearing, the motion for approval of Minutes for the month of May 22, 2014 was moved by Ms. Sharon Wilhelm and were seconded by Mr. Steve Kish.

The motion to approval June 26, 2014 was moved by Ms. Sharon Wilhelm and seconded by Mr. Tim Gerstner.

Both Minutes were approved with deletion/ corrections.

Netherwood School, ZBA Referral # 989
Grid #: 6265-04-906289
Location: 648 Netherwood Road, Pleasant Valley NY 12569
Sign Permit Application

The Chairman gave to all present, the proof of publication, list of adjacent neighbors whom letters were sent out.

The Chairman informed that the approval was denied by the Zoning Administrator, as the sign was not according to the Pleasant Valley Town codes, therefore the client had to appear before the Zoning Board of Appeals to attain the area variances.

Ms. Nancy Forrest (she was already under oath from previous ZBA Meeting of 5/22/14) represented the Netherwood School.

Mr. Maucher reiterated that the 5 sided area was the whole sign and the posts are not to be included.

Ms. Wilhelm clarified the fact that the posts are included in height but not the square footage.

Mr. Dunn explained that they were not only considering the square footage of sign but also 7 word display.

Ms. Wilhelm suggested that we should not limit the number of the words to be displayed on the sign.

Ms. Nancy Forrest explained that it is not a commercial endeavor. Depending on the location, the sign should be visible to all, as it is a school.

Ms. Wilhelm asked if the time/date were considered as words. To this Mr. White clarified that they were considered as **one** word.

At this point Mr. Dunn, Chairman reminded the Board that they had given lots of leniency to the Fire House sign, and as this was a school sign, same leniency should be extended towards them as well.

Ms. Wilhelm pointed out that the West Road has a lot of words on their sign they have about 6 to 7 lines.

At this point Mr. Kish asked Ms. Forrest if this sign will be same as rest of the Hyde Park schools, and what are the colors used in the sign. She replied that the signs will be uniform throughout the Hyde Park School

district and the color on sign will be deep forest green, with ivory letters and gold school seal.

Ms. Myers wanted to know if the sign will be illuminated; to this Ms. Forrest explained that the sign will not be internally illuminated.

Mr. Kish inquired if the other towns had approved the similar signs. Ms. Forrest informed the Board, that the Town of Poughkeepsie had waived the hearing for **schools** and **fire houses**. Also these signs can be directly linked to the weather channel and amber alerts.

The Chairman, opened up the public hearing, no one objected. Public hearing was closed and the Board after discussions approved the Area Variance (see attached) resolution.

Motion was made by the Chairman to adjourn the meeting at 0830 hrs. Mr. Maucher seconded the motion and the ZBA meeting for 7/24/14 was adjourned.

Glen Daley Mines: Special Use Permit Appeal # 992
Grid # 6465-02-639557-0000, Hyde Park District
Location: 822, North Avenue, Salt Point NY 12578

Site plan approval and Special Permit referral to expand existing gravel mine for the continued extraction of gravel and sand materials.

This Item was not included in the ZBA Meeting as The Glen Daley mines did not receive a referral from the Planning Board of the Pleasant Valley, New York.

_____Approved as read
_____Approved as corrected with deletions/additions

Cc: Board Member
ZBA File

RESOLUTION AREA VARIANCES - APPROVAL
98-49(B) (3)

(An area variance results in a modification of physical restrictions so that an allowable use may be established on the property, i.e: yard requirements, set-back lines, lot coverage, frontage requirements or density regulations, so that the property may be utilized for one of the uses permitted by the Zoning ordinance,)

WHEREAS, the applicant, **Netherwood School/Glode Sign,** has submitted proof in support of his/her application for **A school sign height variance of 4.6', lettering section variance of 8.5 sf,** which under the code of the Town of Pleasant Valley requires the issuance of a variance, and **total sign size variance of 39.7 sf, total variance of words = 16 words.**

WHEREAS, such proof has been duly considered by the Board at a public meeting, and

WHEREAS, an area variance is a request for relief from dimensional standards contained in the zoning ordinance and it requires a demonstration of "practical difficulty", and

WHEREAS, relief may be granted if the applicant can demonstrate that strict compliance with the Zoning Chapter would cause practical difficulty, and

WHEREAS, the determination of practical difficulty is a three step process in which:

1. The applicant must demonstrate that the application of the zoning ordinance to his property causes significant economic injury.
2. Once applicant has demonstrated economic injury, it must be shown that the regulation in question is reasonable related to a legitimate exercise of the police power.
3. Assuming the regulation in question is reasonably related to a legitimate exercise of the police power, the applicant must demonstrate the restrictions, as strictly applied in his case, are unrelated to the public health, safety or welfare of the community and that granting the variance will not adversely affect the community, and

WHEREAS, in making a determination of practical difficulty, the Board may consider:

1. How substantial the variation is in relation to the requirement;
2. The potential effect of increase density on available municipal, county and state facilities and services;
3. Whether the variance will cause a substantial change in the character of the neighborhood;
4. Whether the difficulty can feasibly be mitigated by some other method; or
5. Whether the interests of justice will be served in granting the variance, and

WHEREAS, the Board should grant the minimum relief necessary to allow reasonable use of the land.

NOW, THEREFORE, BE IT

RESOLVED, that the Board finds that the following special circumstances or conditions exist which apply to the applicant's sign but which do not apply generally to the signs in the neighborhood:

1. N/A
2. Need to identify the school
3. Visual improvements

And be it further:

RESOLVED, that the Board finds the above circumstances or conditions are such that strict application of the provisions of Chapter 98 of the Code of the Town of Pleasant Valley results in practical difficulty and would deprive the applicant of the reasonable use of his/her sign, and be it further

RESOLVED, that for the reasons set forth above, the Board determines that the granting of the variance is necessary for the reasonable use of the applicant's sign and that the variance as granted is the minimum variance that will accomplish the proposed use,

and be it further

RESOLVED, that the Board determines that the granting of the variance will be in harmony with the general purpose and intent of the Zoning Chapter of the Code of Pleasant Valley and will not be injurious to the neighborhood or otherwise detrimental to the Public welfare.

Approved: 7-0-0.

Town of Pleasant Valley

Office of Planning/Zoning Department

ZONING BOARD of APPEALS – MINUTES OF MEETING

October 23, 2014
7:30 PM

The regularly scheduled meeting of the Pleasant Valley Zoning Board of Appeals was held on October 23, 2014 at 7:31 p.m. at the Pleasant Valley Town Hall, 1554 Main Street, Pleasant Valley, New York.

Chairman:	**John J. Dunn**
Board Members Present :	Kathy Myers
	Stephen Kish
	Michael Schroeder
	Robert Maucher
	Tim Gerstner
Board Member Absent:	Sharon Wilhelm
	Ed Feldweg
Staff:	Michael White, Zoning Administrator
	Sonia James, Secretary

Glen Daley Mines: Special Use Permit Appeal # 992
Grid # 6465-02-639557-0000, Hyde Park District
Location: 822, North Avenue, Salt Point, NY 12578 - Site plan approval and Special Permit referral to expand existing soil mine for the continued extraction of gravel and sand materials.
Owner: Glen and Cindy Daley

Chair gave proof following:

1. Proof of letters sent to the adjoining neighbors
2. Affidavit of publication of notice in Poughkeepsie Journal dated 10/16/14.
3. Referral from Planning Board dated 10/14/14.

Chair, notified that the Board had received nothing from the Fire Advisory Board as they apparently did not have anything to do with the application.

Chair requested the applicant Mr. Glen Daley to come forward for his testimony and to be sworn in:

Mr. Glen Daley, of 797 North Ave. Salt Point, NY 12578, was sworn in, and following is his testimony:

"I applied for 13 acre as we are running out of material after 30 some years of excavating 13 acres of my gravel bank. Over 25 years we have run out of material in order to continue my business I need to expand my business. I am governed by the DEC they make one (1) or two (2) visits a year plus keep a watch on me on Google. I know I had complaints about dust and noise and have installed seven (7) feet high trees to block the view of my eyesore property. I hope I am within regulations. I am here to answer any questions.

Chair asked if anyone had any questions.

Ms. Myers wanted a clarification as to how long it takes to use up two (2) acres?

Mr. Daley replied: "It depends on the demand. We keep moving south behind my house and barn."

Chair, Mr. Dunn explained that five (5) acres are for the pond plus 13 acres, so using a total of 13.5 acres.

Mr. Daley: "We have been there for 47 years. Officially we started business in 1982 or 1985.

Chair Mr. Dunn wanted to know if anyone had any other questions.

Mr. Daley added: "I would like to offer my thanks to my wife Cindy and my family for their patience and support, and also to Mr. Mike White, for guidance and Sonia for paper work."

Mr. White stated that the project has already been approved by the Planning Board, bulk of the authority lies with DEC and they are in process of issuing the permit. SEQR was concluded under DEC as a lead agency. This is a 25 year project; there will be gradual excavation there is nothing out of the ordinary. Issues of access and shielding of view is always in question which Glen has already taken care of.

Chair invited any one to speak for or against this application; first to speak was:

Mr. Atkins, of 103, Mianur River Road, Bedford NY 10506, "I speak on behalf of my wife; I am a retired attorney of NY City. I never practiced real estate, as I was a tax lawyer. My wife owns Locust Grove farms we are on Salt Point Turnpike we are adjoined to the Soil Mine. Mail notice was postmarked October 14 my recollection that 10 days proper notice is required I may be wrong. 10 day periods would not have run, this is not a problem as I am here, I do not like to labor that point, I want you to seek advice from your own council. How long this permit is going to be in effect. I understand Mr. Daley has to go back every 5 years to DEC. DEC has no concern with Salt Point, but is concerned with the matters being mined, they are not going to protect the Hamlet of Salt Point. We do not have real authority, this has been taken over by the DEC this may be so; but I do not believe that this relieves you (the Board) from carrying out your responsibilities in protecting the little Hamlet of Salt Point. I understand this all started back in the 40's when was that current permits issued and when does this expires.

Chair Mr. Dunn stated, "Zoning was in effect back in the 80's that prior to them starting to take the shovel of dirt out of ground he would have to have a permit."

Mr. Atkins: "But when was that permit granted, no doubt it is a permitted use, but I am sure that there are lot of people around, we cannot go back and change that it is a permitted use, whether it's appropriate for the town or future of Hamlet. This property, our property has been in my wife's family since 1830. Land has been donated for church and cemetery. My wife and I plan to move back here, we are both octogenarians, we want to see Hamlet developed in a proper sense. It is mentioned in the paper that, this approval is for 25 years, it is a long time. It is highly unlikely that anyone of you will still be on Board of Zoning. What will be the length of time? What will be the parameters of this permit?

Mr. White informed that as per article §98-69-A-1 at least 5 calendar days prior to the hearing the notice should be published, and 10 calendar days as per article 2-B. Provided it's a flaw but not a fatal one. This is just a mirror to the approval Planning Board has already given, unless ZBA adds more, to allow site plan approval to take effect and then close the matter.

As long as compliance, no limit on special use permit. No expiration. Al is done under section §98-74. Expiration: "A special use permit shall be deemed to authorize only the particular use or uses expressly specified in the permit. The permit shall expire if site plan is not applied for and actively pursued, per §98-83, expiration of site plan application within one (1) calendar year of the date of issuance of the special use permit. Upon written request to the Planning Board, including a statement of justification for the requested time extension, the time period to apply and actively pursue the required site plan that would initiate the special use permit use may be extended once for a maximum period of one (1) calendar year from its otherwise specified termination date."

Mr. Atkins: "Let me then understand, I assumed that the permit will be for 25 years to carry out. My feeling was that 25 years is a long time to hold up the adjoining land, now, If I understand rightly, assuming all things are met this could continue for 35 maybe 50 years. I find that very difficult to understand what the effects would be on the town in the limbo. DEC does not give a hoot about the Town of Pleasant Valley, there are thousands of mines under DEC but this one is located close to the Hamlet. I understand there has been a great support for Glen, I accept the fact they are upstanding public citizens, they will not do anything to have the adverse effect on the Hamlet, but he can, after the permit is granted sell his property, and we do not know who takes his

place, we could be dealing with the totally different commodity, this is unreasonable, totally inappropriate. It is good for no one but the Daleys, I know we have the same gravel we can also have our own soil mine, we may start and go all the way to Cottage Street I just can't believe that DEC took all power away from town, and we have no power but to grant the permit for 5 years. We can see what the impact will be; meanwhile we have a piece of land next to a soil mine, it is an inappropriate use. Maybe, until next meeting talk to the counselor, for this kind of open ended permit. My feeling is that it will be arbitrary to have some limitation on it I do not want to bring article 78 proceedings against town of Pleasant Valley or Pleasant Valley Boards. Thank you."

Mr. Gerstner explained that the permit was limited to 13.5 acres only.

Mr. Atkins: "Who will buy our land, as it is adjacent to the Soil Mine?"

Mr. Gerstner said that "I am going through the same problem with power lines for my house. As no one is willing to buy it".

Mr. Maucher, explained that he is not mining 13 acres in 5 years, but he is only asking for 13 acres over a period of 25 years.

Mr. Atkins: "Let us assume it takes 25 or 35 years. As long as this exists it will have an adverse effect on the Hamlet, my comment is how big the lake he will have we may have water front property but nobody will buy as long as this thing is going on, if he is going to do it in 5 or 10 years but specific period should be defined, so you need to consult the Town counsel.

Chair, Mr. Dunn: "Special Use Permit", is for a specified use to a specific person."

Mr. Atkins: "What if he sells the property? Whoever buys it will buy the permits"?

Mr. White: "Yes, but it does not say specifically unless the mining permit is transferred."

Mr. Atkins: "You better go to the Town and the Planning Board Attorney.

Chair Mr. Dunn stated: "I hate to drag things on and on they were here in May and it is now October. Let me ask you Mr. Daley if I delay you for another month, would you be able to conduct your business."

Mr. Daley: "I am pressed for time, I am in a limbo every day, you know what you have to do, but it is what it is I am not going to tell you how to do your work, I leave it to your discretion. I see people selling compost, without permits they have it advertised. If I have to do this so does everyone else has to do the same."

Chair Mr. Dunn wanted to know how the Board felt.

Mr. Kish: "it is going on for a long time they will be working on those 13 acres no matter how long it takes."

Mr. Gerstner: as per section §98-70-B-11 of code: "The Zoning Board of Appeals may impose additional conditions and restrictions upon the special use permit as may be reasonably necessary to assure continual conformance with the applicable standards and requirements, including reasonable assurance that these conditions and restrictions can be responsibly monitored and enforced." We have also have code §98-73-d: "The Zoning Board of Appeals may require in its resolution that a special use permit be renewed periodically. Such renewal may be withheld only after public hearing and upon specific determination by the Zoning Board of Appeals that such conditions as may have been prescribed in conjunction with the issuance of the original permit have not been, or are no longer being, complied with. In such cases, a period of sixty (60) calendar days shall be granted for full compliance by the applicant prior to consideration of the revocation of the special use permit.

Chair, Mr. Dunn: "We can put a time limit on this. Person is doing business, I would not want anyone to come in here every few years for approvals; I think 25 years is a reasonable time frame.

Ms. Myers wanted to know if there were any restrictions on selling the land.

Mr. Daley: "If anyone who comes to this town for business will be asked not to sell. If not, then why me? Why am I different than Dutchess Quarry? They sold their mine they did not come in front of Board the permit was transferred with the land.

Mr. Kish: "We are trying to help neighbors as well as you, and we understand that you are running out of material".

Mr. Atkins: "Time factor is my real concern we should have in town something of their own, no one wants to live next to the mine. What I am saying is let us have some control over it, is this permit granted to land or person? I do not know what the conditions or limits are, let us wait till next month and consult the lawyer".

Mr. Gerstner asked Mr. Atkins: "You do not seem to have a very good regard for the DEC there is no one here from the DEC to defend them."

Mr. Atkins: "I have worked a lot with DEC, I had spoken to John Pepponala, and I have regard for them."

Mr. Daley added: "I would like to ask, that what my soil mine is doing in regards to ruin the Hamlet of Salt Point, my property is contained within 280 acres. "What am I doing to destroy the Salt Point".

No one commented on this.

Mr. Kish stated: "This has been approved by the Planning Board and Planning Board Attorney they have pushed it off to us and they agree with Daleys in continuing the mining, Attorneys have looked at it twice Mr. Jim Nelson would have contacted us, if they have any concerns. The fact that we have not heard anything from him or Ms. Rebecca Seaman, the Planning Board Chair, and it came to us with a positive referral. I am of the opinion that everything is alright with them otherwise they would not have made a positive referral to the Zoning Board of Appeals."

Mr. Atkins: “the attorney was not present at the Planning Board Meeting.”

Mr. Kish: “yes he was, as I too was there for the Planning Board Meeting.

Ms. Myers wanted to know how many acres of land have been mined since 1985.

Mr. Daley: “six (6) acres has been mined since 1985.

Mr. Dunn wanted to know if the land is lower then the road.

Mr. Atkins: “Impact on the adjoining property real estate goes down”.

Mr. Dunn: “He is digging southwards and is putting trees line of sight is mitigated when I drive by I did not see it. I frankly have no objection.”

At this point a motion was made by the Chair to adjourn the public hearing portion of the meeting, seconded by Mr. Maucher, was approved: 6-0-2.

Mr. Maucher: “If the permit is with the owner or with the property. Should we postpone till next meeting. As much as I hate to drag things.”

Mr. Gerstner: “if he does sell new owner will have to appear before the DEC.”

Mr. Atkins wanted to speak again but was reminded by the Chairman that the public hearing was closed

Chairman read the following resolution:

Town of Pleasant Valley

Office of Planning/Zoning Department

RESOLUTION – SPECIAL USE PERMITS – APPROVAL
§98-49 (B) (IF IN FH OR SFH DISTRICT SEE §98-49 [B] [4])
Dated: October 23, 2014

WHEREAS, the applicant Mr. Glen Daley, has submitted proof in support of his/her application for Expansion by 13.5 acres, which under the code of the Town of Pleasant Valley requires the issuance of a special use permit, and

WHEEAS, such proof has been duly considered by the Board at the public meeting, now therefore, be it

RESOLVED, that the Board finds that the use for which such permit is sought, to wit: Expansion of Soil Mine, and under the conditional hereinafter set forth, will not be injurious to the neighborhood or otherwise detrimental to the public welfare and be it further

RESOLVED that the Board determines that in its judgment, the special use:

1.a. ***is reasonably is reasonably necessary for the public health***

1.b. ***is reasonable and in the general interest of the public health***

1.c. ***is reasonable and for the general welfare of the public***

2. ***is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities***

3. ***that the neighborhood character and surrounding property values are reasonable safeguard***

4. ***will not cause undue traffic congestion or create a traffic hazard***

5. ***complies with all other conditions or standards specified in the Zoning Code of the Town of Pleasant Valley***

AND, be it further RESOLVED, that the Board determines that the following appropriate conditions and safeguard (and/or Time limitations) are included with the issuance of this special use permit:

AND, be it further RESOLVED, that the Board determines that the following appropriate conditions and safeguard (and/or time limitations) are included with the issuance of this special use permit:

1. ***Thirteen and Half Acres (13.5 acres)***
2. ***And/or a time limit of Twenty Five (25) years – whichever is less.***
3. ***And in compliance with the "Erosion and Sediment Control Plan" prepared by Mr. Roy Budnik, Ph.D. dated August 12, 2013***
4. ***And in compliance with the "SEQR Negative Declaration" of October 4, 2013***
5. ***And in compliance with "Mining Reclamation Plan Narratives" dated May 20, 2013 and Revised August 7, 2013***
6. ***And in compliance with "Spill Prevention Plan" dated August 13, 2013***

These conditions are found to be appropriate so as to guarantee that the use of the premises shall not be incompatible with other permitted uses in the vicinity and area where the property is located.

Motion for approval of resolution was made by the Chairman seconded by Mr. Gerstner and was approved in favor 6-0-2.

_____ _____

Mr. John Dunn **Dated**
Chairman
Zoning Board of Appeals

Town of Pleasant Valley

Office of Planning/Zoning Department

Paul Fortier - Area Variances for a Shed – Appeal # 993
Grid # 6565-01-028577
Location: 67, Scout Road, Salt Point, NY 12578
Owner: Paul Fortier

Preliminary hearing for area variance for a shed to be built closer to the Road than permitted by zoning.

Moving on to Paul Fortier a request to establish a garden shed closer to road; than is permitted by the Zoning Code.

Mr. Dunn informed that a decision would not be made today, as it is not a public hearing, also he wanted to know exactly where the shed will be, secondly we will have to have exact measurements in order to grant variances.

Mr. White stated that specifics where shed will be were given but not the dimensions.

Paul Fortier of 67 Scout Road, Salt Point was sworn in:

Chair, Mr. Dunn told the applicant that he had an understanding that a shed to the left of the house will be put in. But we do not know the size and distance it will be for the lot line etc. The best thing would be if you can stake it out so we can go out and look and take measurements from there, very frankly if you want to put up where the trailer as shown in the attached photographs.

Mr. Fortier: "The shed is about 35 feet from the side line, I cleared some trees I can move the shed further up the hill away from the road, but it is a very steep hill."

Mr. Dunn: "We try to give variances which are amenable to all. What would the color of shed be, and what kind of material will be it made of?"

Mr. Fortier: "I have already submitted plans for shed, material used will be wood with earth tones matching the trees."

Mr. Dunn: "That would be much nicer but we cannot render a decision on this issue as we did not notify the neighbors, the zoning office was supposed to notify apparently this was a slip up."

Rob Maucher: "It also gives him time to give us the variances."

Mr. Fortier: "I was under the impression that you could not have shed in front of the house. I can make it 60 feet from front but not the edge of the house."

Mr. Gerstner: "We would not have been able to give decision today even if this was advertised as the variances and dimensions are not there."

Mr. Dunn: "We need exact placement, and the exact measurements. This will be discussed in the next ZBA meeting scheduled to be held on November 20, 2014".

Minutes of Meeting:

Next Minutes of July 24, 2014 meeting were approved with corrections. Motion was made by the chairman seconded by Mr. Kish, motion was approved 6-0-2.

Review of Proposed Revisions to Town Code Section §98-46. Signs

Mr. Michael White gave a presentation proposing Zoning Code amendments to Open LED signs; and Gas Station pricing signs.

Mr. White informed that during the course of the performance of his Zoning Administrators duties, one of the items he noticed was the need for revision to Chapter 98-46, which is the sign ordinance. Present sign ordinance was cumbersome and restrictive, to the point where at least half of all sign permit applications, require variances from the Zoning Board. That seems particularly true for Gas Mart and Gas Stations, where nearly all the sign permits required variances from ZBA.

Additionally, Mr. White added, that he has been continually hearing from business owners in the Town; the need to adequately advertize their business. He informed the Board that as an enforcer of the Town Codes, he has to listen to the business owners complaints constantly, thus making it a nearly impossible job, as there are just too may unhappy business owners.

Further, Mr. White added that this is a tough economy, and people are trying to make an honest living, we are just trying to help business people to have "open" sign and want Boards approval.

Chairman stated that internal illumination is okay as long as it is tastefully done.

Mr. Maucher stated that he received the paper work few days ago and was not able to review it.

Mr. Dunn informed that he and Ms. Rebecca Seaman – Planning Board Chair - met with the Town Board, "we have to look at signs realistically we do not want to be business unfriendly. I would just say give it some thought we will discuss this in the next meeting". Therefore it was decided to postpone this issue till next meeting, scheduled to be held on November 20, 2014.

Mr. Gerstner informed Mr. White, Zoning Administrator of the new sign put in by the hardware store in the valley. Mr. White will check on that as the town was unaware of the sign and no permit was issued.

Motion to close the meeting was made by the Mr. Gerstner seconded by Ms. Myers and approved 6-0-2.

ZONING BOARD of APPEALS – MINUTES OF MEETING
November 20, 2014
7:30 PM

The regularly scheduled meeting of the Pleasant Valley Zoning Board of Appeals was held on November 20, 2014 at 7:30 p.m. at the Pleasant Valley Town Hall, 1554 Main Street, Pleasant Valley, New York.

Chairman:	John J. Dunn
Board Members Present :	Kathy Myers
	Stephen Kish
	Robert Maucher
Board Member Absent:	Sharon Wilhelm
	Michael Schroeder
	Tim Gerstner
Staff:	Michael White, Zoning Administrator
	Sonia James, Secretary

Paul Fortier - Area Variances for a Shed – Appeal # 993
Grid # 6565-01-028577
Location: 67, Scout Road, Salt Point, NY 12578
Owner: Paul Fortier

Chairman Mr. John Dunn, announced that along with the application we are in receipt of an affidavit of Publication from Poughkeepsie Journal, list of neighbors certified letters were sent to, notifying them of the public hearing. Also memo from Mr. Michael White, Zoning Administrator, regarding the application. Chair requested Mr. Paul Fortier to step forward to be sworn in and to give his testimony.

Mr. Paul Fortier, of 67 Scout Road was sworn in and explained why he needs to apply for shed variance. He explained that there was no other place on his property where he could put the shed up.

He showed pictures of his backyard to support his testimony, which shows steep rocky hill towards the back of the house.

Mr. Steve Kish wanted to know the terrain in the back of the house.

Mr. Fortier replied that the terrain towards the back of his house is rocky and hilly.

Mr. Kish asked if his neighbors had any concerns

Mr. Fortier replied that none of his neighbors had any objection to him putting a shed. No one had any problems therefore no one showed up at the public hearing.

Mr. Kish enquired about what kind of shed he proposed to put.

Mr. Fortier said it would be Precut, the one that comes in a kit, which he would assemble him selves.

At this point Mr. White suggested that the shed be built at another spot in the yard, which is away from the road towards the right, south easterly side of the house.

Mr. Fortier told that it would be right over the septic tank top so not possible to put a shed on top of that. Mr. Fortier added that, if you look at these pictures, they show that the hill is too steep to put the shed up.

Variance was granted for 41½ feet, a motion was made to pass a resolution granting variances. It was seconded by Mr. Steve Kish and was approved 4-0-3.

Town of Pleasant Valley

Office of Planning/Zoning Department

RESOLUTION AREA VARIANCES - APPROVAL
98-49(B) (3)

(An area variance results in a modification of physical restrictions so that an allowable use may be established on the property, i.e: yard requirements, set-back lines, lot coverage, frontage requirements or density regulations, so that the property may be utilized for one of the uses permitted by the Zoning ordinance.)

WHEREAS, the applicant ***Paul Fortier***, has submitted proof in support of ***his***/her application for ***placement of Garden Shed – Needs 41½ feet variance from front and variance to allow front yard placement,*** which under the code of the Town of Pleasant Valley requires the issuance of a variance, and

WHEREAS, such proof has been duly considered by the Board at a public meeting, and

WHEREAS, an area variance is a request for relief from dimensional standards contained in the zoning ordinance and it requires a demonstration of "practical difficulty", and

WHEREAS, relief may be granted if the applicant can demonstrate that strict compliance with the Zoning Chapter would cause practical difficulty, and

WHEREAS, the determination of practical difficulty is a three step process in which:

1. The applicant must demonstrate that the application of the zoning ordinance to his property causes significant economic injury.
2. Once applicant has demonstrated economic injury, it must be shown that the regulation in question is reasonable related to a legitimate exercise of the police power.
3. Assuming the regulation in question is reasonably related to a legitimate exercise of the police power, the applicant must demonstrate the restrictions, as strictly applied in his case, are unrelated to the public health, safety or welfare of the community and that granting the variance will not adversely affect the community, and

Town of Pleasant Valley

Office of Planning/Zoning Department

WHEREAS, in making a determination of practical difficulty, the Board may consider:

1. How substantial the variation is in relation to the requirement; ***Substantial***
   The potential effect of increase density on available municipal, county and state facilities and services; ***None***
2. Whether the variance will cause a substantial change in the character of the neighborhood; ***No***
3. Whether the difficulty can feasibly be mitigated by some other method; or ***Not Really***
4. Whether the interests of justice will be served in granting the variance, and ***Yes***

WHEREAS, the Board should grant the minimum relief necessary to allow reasonable use of the land.

NOW, THEREFORE, BE IT

RESOLVED, that the Board finds that the following special circumstances or conditions exist which apply to the applicant's (land) (building) but which do not apply generally to the (land) (buildings) in the neighborhood:

1. ***Septic System***
2.
3.

And be it further:

RESOLVED, that the Board finds the above circumstances or conditions are such that strict application of the provisions of Chapter 98 of the Code of the Town of Pleasant valley results in practical difficulty and would deprive the applicant of the reasonable use of his/her (land) (Building), and be it further

RESOLVED, that for the reasons set forth above, the Board determines that the granting of the variance is necessary for the reasonable use of the applicant's (land) (building) and that the variance as granted is the minimum variance that will accomplish the proposed use,

Town of Pleasant Valley
Office of Zoning Department

and be it further

RESOLVED, that the Board finds the above circumstances or conditions are such that strict application of the provisions of Chapter 98 of the Code of the Town of Pleasant Valley results in practical difficulty and would deprive the applicant of the reasonable use of (his/her) (land) (building),

And be it further,

RESOLVED, that the Board determines that the granting of the variance will be in harmony with the general purpose and intent of the Zoning Chapter of the Code of Pleasant Valley and will not be injurious to the neighborhood or otherwise detrimental to the Public welfare.

Mr. John Dunn
Chairman
Zoning Board of Appeals

11/20/14
Dated

Area Variances for a Shed – Appeal # 994
Grid # 6463-01-025635
Location: 1660 Main Street, Pleasant Valley NY, 12569
Area variance for a shed to be built four (4) feet from the property line to preserve backyard. Replace existing Shed.
Owner: Lisa and Peter Higgins

Lisa and Peter Higgins of 1660 Main Street Pleasant Valley were sworn in for their testimony. They said that they would take the existing old shed down and build a bigger new one. Reason they need variance is because the property is only 60 feet wide and if they build the shed as per the town codes it will stand in the middle of their yard, thus leaving no place for kids to play.

Chair announced proof of publication of notice, certified letters sent to neighbors.

Chair invited all present, either speak in favor or against this.

Mr. Matthew Cave, of 1658, Main Street, Pleasant Valley NY 12569 was sworn in, he testified that Mr. and Mrs. Higgins are his next door neighbor and gave testimony in favor of the applicant. He stated that as the lots are very small he too had a shed right at the property line. Therefore he has no objection in Higgins putting up the shed close to his property line.

Motion to pass a resolution was passed and was seconded by Ms. Kathy Myers and a variance of 11 feet was grant to the applicant. Approved 4-0-2.

Town of Pleasant Valley

Office of Planning/Zoning Department

RESOLUTION AREA VARIANCES - APPROVAL
98-49(B) (3)

(An area variance results in a modification of physical restrictions so that an allowable use may be established on the property, i.e: yard requirements, set-back lines, lot coverage, frontage requirements or density regulations, so that the property may be utilized for one of the uses permitted by the Zoning ordinance.)

WHEREAS, the applicant ***Lisa and Peter Higgins*** has submitted proof in support of ***his/her*** application for ***11" variance for placement of garden shed,*** which under the code of the Town of Pleasant Valley requires the issuance of a variance, and

WHEREAS, such proof has been duly considered by the Board at a public meeting, and

WHEREAS, an area variance is a request for relief from dimensional standards contained in the zoning ordinance and it requires a demonstration of "practical difficulty", and

WHEREAS, relief may be granted if the applicant can demonstrate that strict compliance with the Zoning Chapter would cause practical difficulty, and

WHEREAS, the determination of practical difficulty is a three step process in which:

4. The applicant must demonstrate that the application of the zoning ordinance to his property causes significant economic injury.
5. Once applicant has demonstrated economic injury, it must be shown that the regulation in question is reasonable related to a legitimate exercise of the police power.
6. Assuming the regulation in question is reasonably related to a legitimate exercise of the police power, the applicant must demonstrate the restrictions, as strictly applied in his case, are unrelated to the public health, safety or welfare of the community and that granting the variance will not adversely affect the community, and

Town of Pleasant Valley

Office of Planning/Zoning Department

WHEREAS, in making a determination of practical difficulty, the Board may consider:

5. How substantial the variation is in relation to the requirement; ***Yes***
6. The potential effect of increase density on available municipal, county and state facilities and services; ***None***
7. Whether the variance will cause a substantial change in the character of the neighborhood; ***No***
8. Whether the difficulty can feasibly be mitigated by some other method; or ***Yes, but causes hardship***
9. Whether the interests of justice will be served in granting the variance, and

WHEREAS, the Board should grant the minimum relief necessary to allow reasonable use of the land.

NOW, THEREFORE, BE IT

RESOLVED, that the Board finds that the following special circumstances or conditions exist which apply to the applicant's (land) (building) but which do not apply generally to the (land) (buildings) in the neighborhood:

1. ***Other placements would make yard less useable***
2. ***New Shed is a vast improvement***
3. ***Old Shed comes Down***

And be it further:

RESOLVED, that the Board finds the above circumstances or conditions are such that strict application of the provisions of Chapter 98 of the Code of the Town of Pleasant valley results in practical difficulty and would deprive the applicant of the reasonable use of his/her (land) (Building), and be it further

RESOLVED, that for the reasons set forth above, the Board determines that the granting of the variance is necessary for the reasonable use of the applicant's (land) (building) and that the variance as granted is the minimum variance that will accomplish the proposed use,

Town of Pleasant Valley
Office of Zoning Department

and be it further

RESOLVED, that the Board finds the above circumstances or conditions are such that strict application of the provisions of Chapter 98 of the Code of the Town of Pleasant Valley results in practical difficulty and would deprive the applicant of the reasonable use of (his/her) (land) (building),

And be it further,

RESOLVED, that the Board determines that the granting of the variance will be in harmony with the general purpose and intent of the Zoning Chapter of the Code of Pleasant Valley and will not be injurious to the neighborhood or otherwise detrimental to the Public welfare.

Mr. John Dunn
Chairman
Zoning Board of Appeals

11/20/14
Dated

Area Variance for a Shed – Appeal # 995
Grid # 6363-03-384140
Location: 28 Gleason Blvd Pleasant Valley NY 12569
Area variance for a shed already built on property since 1998.
Owner: Eugene De Angelis

There is a garden shed already in place since 1998 and it is in violation of the town code.

Mr. Eugene De Angelis, 28 Gleason Blvd was sworn in for testimony.

Chair announced proof of publication of notice, certified letters sent to neighbors.

Mr. DeAngelis stated "when I purchased the house in 1998 there were zoning code violation for this shed, which I was not aware of. Previous owners erected the shed and I believe the shed had been there longer than 16 years, that I have had the house. I have had no complaints earlier. No one complained therefore I did not pay any heed to it. Where the shed is near the property line, that neighbor has now erected a 6-7' stockade fence at the property line. The shed is so old if I moved the shed, it will probably fall apart, but it is useful to me, I store my garden equipment. It will be an extra expense to move it, if the variance is not granted".

Mr. Steve wanted to know, what were the setback requirements in 1998

Mr. White replied that they were the same as now.

Mr. Kish wanted to know how much room was their between the property line fence and the shed. Mr. DeAngelis replied maybe 3 feet but the shed is not visible from the road.

Chair Mr. Dun asked if anyone had any more questions?

Motion was passed by the Chairman, to approve the resolution, which was seconded by Mr. Robert Maucher. The Resolution was approved 4-0-2.

Mr. Michael White, Zoning Administrator informed all the three Applicants that next step would be to apply for the building permits and get the work started.

At the point Chair, informed that in the next ZBA meeting a new Vice Chairperson for Zoning Board of Appeals will be elected.

Minutes of Meeting:

Minutes of October 23, 2014 meeting were approved with corrections. Motion was made by the chairman seconded by Mr. Kish, motion was approved 4-0-3.

Review of Proposed Revisions to Town Code Section §98-46. Signs

A discussion was held between the Board Members and Mr. Michael White, Zoning Administrator. Mr. White proposed to the Town Board to make Zoning Code Amendments, to OPEN LED signs and Gas Stations Pricing signs.

Mr. Maucher had reservations in giving a positive review. Mr. White explained that this is the first step towards approving the change in the signs, that's why all Boards' inputs are sort by the Town Board to reach a decision.

Mr. Kish expressed that already the Majority of business owners are using lit "open" signs.

Mr. White stated that every sign becomes a code variance, so unnecessary repetition of work for the ZBA.

Ms. Myers added that by allowing this sign we will be helping business owners.

Mr. White stated that as it becomes dark now it is not possible to see if the business is open or not, if they have an open sign it is visible from a distance.

Ms. Myers wanted to know if, these petroleum companies have some pre-determined corporate sign. She showed a picture of brand new SONOCO gas station sign, which is much smaller.

Mr. Kish - I am not objectionable to the new height of the signs as long as they do not exceed the allotted height. That would be 15' from grade level to the top of the sign and maximum width of 7'. I also want a uniform lit sign for the windows – that's for town board to decide what size will be approved.

Mr. Maucher wanted to know that "How town hall will let people know that the code has changed and what changes will be and then have a public hearing and would it be reviewed by the Town Lawyer".

Mr. White - Yes it already has been and he is holding his opinion till all changes or inputs are in from all the Boards. There will be a Public

Hearing for the change of town codes at the Town Board meeting. This is just a first draft

Motion to adjourn the meeting was made by the Mr. Maucher seconded by Mr. Steve Kish and was approved 4-0-3.

The ZBA November 20, 2014 meeting was adjourned at 9:45 p.m.