

TOWN OF NEW WINDSOR

ZONING BOARD

August 22, 2011

MEMBERS PRESENT: MICHAEL KANE, CHAIRMAN
 FRANCIS BEDETTI
 PATRICK TORPEY
 HENRY SCHEIBLE

ALSO PRESENT: ANDREW KRIEGER, ESQ.
 ZONING BOARD ATTORNEY

 NICOLE PELESHUCK
 ZONING BOARD SECRETARY

ABSENT: RICHARD HAMEL

REGULAR MEETING:

MR. KANE: I'd like to call to order the August 22,
2011 meeting of the New Windsor Zoning Board of
Appeals.

PRELIMINARY MEETINGS:

JOHN CHANNEL (11-21)

MR. KANE: Preliminary meeting John Channel. A variance is requested for a proposed deck extension of eight feet into the side yard setback. This will leave 23.8 to the side property line. A variance of 16.2 feet is required at 1036 Rolling Ridge in an R-3 zone. Mr. Channel is not here so we'll move on.

MOBILE GRAFX SIGN COMPANY - WELLS FARGO (11-23)

MR. KANE: Next is Mobile GrafX Sign Company, Wells Fargo. Variance is required for an additional facade sign. First facade sign is 2.5 feet by 17 feet and variance of seven feet in width is requested. The second facade sign is 3.5 feet by seven feet and a variance of 1 foot height is requested at 955 Little Britain Road in an NC zone. In the Town of New Windsor, we hold two meetings, we hold a preliminary meeting so we can get a general idea of what you want to do and to make sure that you have enough information for us to make a decision in a public hearing. Other towns in New York hold one meeting and if you're not prepared when you go in you lose, you can't come back for six months. That's why we do a two step process. All decisions have to be made in a public form. Basically what goes on here will be very similar to what goes on in the public hearing, except for the public will be part of it and a little bit more intense questions. So speak loud enough for the young lady over there to hear you, tell us what you want to do.

MR. EISENBERG: Good evening, I'm John Eisenberg with Mobile GrafX Sign Company on behalf of Wells Fargo. They moved into the space at 955 Little Britain Road and they're requesting a variance for the front building sign. They want to extend it seven feet more than the Town Code allows on the front of the building. Also requesting a variance for a second sign on the side of the building for a one foot variance on the height of the second sign.

MR. TORPEY: That's why there's two applications here, you're doing it for them?

MR. EISENBERG: Yes.

MR. KANE: The proposed sign is illuminated?

MR. EISENBERG: The main building sign, the one they're requesting a seven foot building will be.

MR. KANE: Internal illumination?

MR. EISENBERG: Internal illumination.

MR. KANE: Non-flashing?

MR. EISENBERG: Non-flashing.

MR. KANE: On the front of the building, how far off of the road is the front of the building? How many feet?

MR. EISENBERG: I don't have exact footage calculation.

MR. KANE: Bring us some pictures, I'm sure we'll be out to take a look at it but for the record.

MR. TORPEY: A hundred fifty feet?

MR. EISENBERG: Probably 100, 150 feet.

MR. KANE: Try to narrow that down for us, okay?

MR. EISENBERG: Sure.

MR. KANE: And as we usually do with sign variances, will you be prepared to show any other kind of options that might be a little bit smaller than what you're requesting?

MR. EISENBERG: I can ask them about it, I think their concern is just the proportions of the logo.

MR. KANE: Just be prepared so we can get it done in one meeting.

MR. EISENBERG: As far as options referring to doing something smaller?

MR. KANE: Closer to what, for instance, you need a seven foot length depending on how far off the road it is, we'll actually go and take a look at it but is there any way that that sign might get by with three foot or four foot instead of the seven? Just those kind of things. I'm sure these gentlemen are going to address it in a minute anyway. Further questions from the board at this time?

MR. SCHEIBLE: In that strip mall, you're moving into the small strip mall there where the doctor's office and whatnot is in there?

MR. EISENBERG: The Heart Center's all the way on the left.

MR. SCHEIBLE: Do you also have a sign out on the highway? Just questioning.

MR. EISENBERG: You mean on the--

MR. SCHEIBLE: Freestanding sign on the highway?

MR. EISENBERG: They do occupy part of the tenant panels on 207, they have a slot in there, yes.

MR. SCHEIBLE: Okay.

MR. KANE: Some questions that we do need to ask that may not totally apply but I've got to ask them anyway. In the construction of the sign, not going to be removing trees or substantial vegetation?

MR. EISENBERG: No.

MR. KANE: Not creating any water hazards or diverting any water?

MR. EISENBERG: No.

MR. KANE: No easements running through the area?

MR. EISENBERG: Not that I'm aware of.

MR. KANE: Further questions?

MR. BEDETTI: Yeah, what was the reason why you can't comply with the code?

MR. EISENBERG: Theoretically, you can always comply just the visibility of the logo would not be visible from the road. And a good example is there's a temporary banner up on the building now, I've got to check the measurements but that temporary banner constructed at that size would conform to the code and it's barely visible from the road.

MR. KANE: If you can take some pictures that helps immensely.

MR. BEDETTI: There's no entrance on the side where you're putting the second sign?

MR. EISENBERG: There's a back entrance to the office space on the other side.

MR. BEDETTI: Not on the face of the building where that extra sign's going to be?

MR. EISENBERG: No, it's, the entrance is around the back.

MR. BEDETTI: What was the reason for the sign?

MR. EISENBERG: Just looking to increase visibility on Route 207 on that side of the building.

MR. BEDETTI: I'm good.

MR. KANE: Pat, any further questions? If not, I'll accept a motion to set up a public hearing.

MR. BEDETTI: I'll make a motion that we schedule a public hearing for Mobile GrafX Sign Company for Wells Fargo for a variance for a second facade sign and a dimensional variation for the first facade sign of seven feet in length and the second sign one foot in height at 955 Little Britain Road in an NC zone.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MS. PELESHUCK: This is your next steps and all the envelopes you'll need.

MARTA & MATTHEW FARRELL (11-24)

MR. KANE: Tonight's next preliminary meeting Marta and Matthew Farrell. Interpretation for a single family dwelling with two kitchens or a two family house located at 233 Garden Street in an R-4 zone. You heard my spheel before about preliminary and public. Okay, state your name and address, speak loud enough for the young lady over there to hear you. Tell us what you want to do.

MRS. FARRELL: My name is Marta Farrell, I live at 233 Garden Street.

MR. FARRELL: Matthew Farrell, 233 Garden Street, New Windsor.

MRS. FARRELL: What we want to do is we need to add a second kitchen, we need to get that approved for my mother who lives with us and she's elderly and we have a bi-level. She has trouble walking up and down the stairs so we need the second kitchen for her.

MR. KANE: The area where the second kitchen is you have full access from the house to that area?

MRS. FARRELL: Yes.

MR. KANE: It's not locked with a separate entrance, anything like that?

MRS. FARRELL: No.

MR. KANE: And your intent and purpose is to have this as a single-family home, always use it as a single-family home?

MRS. FARRELL: Yes.

MR. FARRELL: Yes.

MR. KANE: Gas and electric coming into the home will be on one meter?

MRS. FARRELL: Yes, I have the pictures of the meter.

MR. KANE: Okay, okay great, we'll add these to the file. One meter, guys. We'll put this into the file.

MR. TORPEY: I'm going to do a drive-by.

MR. KANE: And you're not adding onto the home in any way, just changing downstairs into a kitchen?

MRS. FARRELL: Right.

MR. KANE: Not making any additions?

MRS. FARRELL: No.

MR. KANE: So there's not going to be any removing of trees or creating water hazards?

MRS. FARRELL: No.

MR. KANE: No easements?

MRS. FARRELL: No.

MR. KANE: I think I covered everything. Further questions from the board?

MR. BEDETTI: Does that kitchen already exist or you have to--

MRS. FARRELL: Yes.

MR. BEDETTI: You have no intent on renting this out to anybody?

MR. FARRELL: Just family.

MRS. FARRELL: Just my mother.

MR. KANE: That's the idea is to basically for safety issues to get you in here on the record that that's your intent and purposes. And if anything happens down the line then we gotcha.

MR. FARRELL: Her father was there first, he had cancer and that was one reason.

MRS. FARRELL: They both came. Since then, he's passed away.

MR. FARRELL: Her mother's getting on, she can't walk.

MR. KANE: We see a lot of it, it's a family thing going back to the old ways so I'm old enough to remember that. Any further questions from the board?

I'll accept a motion.

MR. BEDETTI: I'll make a motion that we schedule a public hearing for Marta and Matthew Farrell for interpretation of a single family dwelling located at 233 Garden Street in an R-4 zone.

MR. TORPEY: Second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MS. PELESHUCK: You have the list. I just want to show you they did bring in a doctor's note.

MR. KANE: You're all set.

FORMAL DECISIONS:

1. PETER PETRILLO
2. EDWARD & JACQUELINE TURENCHALK
3. RUSSELL GANDT
4. APRIL KEAN
5. BUTCH MACUTAY

MR. KANE: We have formal decisions to vote on.

MR. BEDETTI: John Channel's not here?

MR. KANE: Obviously not here. So we have five formal decisions, if you want to take them in one vote, I'll accept a motion on it.

MR. BEDETTI: I'll make a motion that we accept the formal decisions for Peter Petrillo, Edward and Jacqueline Turenchalk, Russell Gandt, April Kean and Butch Macutay as written.

MR. SCHEIBLE: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: Motion to adjourn?

MR. TORPEY: So moved.

MR. SCHEIBLE: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. TORPEY	AYE
MR. KANE	AYE

Respectfully Submitted By:

Frances Roth
Stenographer