

Town of Greenville
Zoning Board of Appeals
Town Hall, Pioneer Bldg.
PO Box 38,
Greenville, NY 12083

April 14, 2015

Attendees: Sandy Garden, Mike Schlenker, Tom Briggs, John Ingalls, Tom Vance, Joan Smith and Danielle Badamo-Overbaugh.

Guests: James Warren, Nicole Bliss, Scott Zielonko, Trudy Cunningham, Michele & Victor Weidman, Butch Colbert, Tammy Bullivant, Scott Colbert Esq., Jackie Parks, Paul Macko, and, Mark Overbaugh.

*Motion to open the meeting made by Joan Smith at 6:03pm.
Seconded by: Tom Briggs. All in favor: 6, Opposed: 0, Motion carried.*

Pledge of allegiance

*Motion to accept the minutes for March 10, 2015 made by Joan Smith.
Seconded by: Mike Schlenker. All in favor: 6, Opposed: 0, Motion carried.*

Business on the Table from January 13, 2015

Sandy Garden – Sign Variance, Special Use Permit & Site Plan Review, 10057 Route 32, Tax Map #36.00-5-27

Scott Zielonko, Trudy Cunningham, Michele & Victor Weidman Tammy Bullivant, Butch Colbert, & Scott Colbert Esq. Present

Motion to open Public Hearing for Sandy Garden made by John Ingalls. Seconded by: Mike Schlenker. All in favor: 3, Opposed: 0, Motion carried

Mr. Garden is appealing to the Zoning Board of Appeals for a sign variance in relation to his generator business at his property located at 10057 RT 32 (Tax Map #36.00-5-27). The property currently includes a residence and is zoned as Low Density Residential. Mr. Garden plans to sell generators and power products out of his barn. The Board determined that the sign will require two variances; one for the size and one for the number of signs on a parcel. More specifically, according to Article X, Section B7(l): “There shall not be permitted more than one freestanding sign on a single parcel of real property. There shall not be permitted more than one sign per business affixed to a structure on a single parcel of real property. A freestanding sign may advertise one or more names or interests.” As Mr. Garden already has a sign on his property he will need a variance for the additional sign. According to Article XIX, a home occupation may have “a small sign of 2 square feet or less”. As Mr. Garden’s sign is 32 square feet, he will need a variance for the size of the sign.

On behalf of 2 abutting neighbors there was an Attorney present. He presented the Board with pictures taken of four signs placed on Mr. Garden’s property. Residents present addressed the fact that there are just too many signs, large in size placed throughout the property. Residents feel that the presences of these signs are very un-applying to the look of their surrounding properties. There was also discussion regarding a sign advertising for Rainbow Golf Mr. Garden is not being paid for this

advertisement, sign is posted as a courtesy. Zoning laws were reviewed by the Board, as to what sign size is allowed for a Home Operation. A 2x4 size is allowed, Mr. Garden is asking for a 4x8-sized sign. Mike Schlenker mentioned that Mr. Garden could just correct the sign size for the Board's approval. Conversation was made between John Ingalls and Atty. Scott Colbert. Mr. Colbert mentioned that the Board allowing this sign variance was just wrong and that zoning laws need to be upheld to ensure the value of residential properties. The Board decided after reviewing the details further that it would be best to have the Town's attorney review this case.

Motion to table the Board's decision and to leave this Public Hearing open until February 10, 2015 made by John Ingalls. Seconded by: Mike Schlenker. All in favor: 2, Opposed: 1 (Mike Schlenker), Motion Carried.

Conversation continued with the Board, Public and applicant present. Noted that as of January 15, 2015 applicant has removed all extra business signs on his property, but the one seeking approval. Applicant presented the Board with a list he had typed up consisting of 152 other businesses along Route 32 with approved and non-approved business signs both; within size allowance and not. The Board addressed the list but made mention that these are not what is on discussion for approval. Member of the Public addressed his displeasure with Mr. Garden's business sign and the noise level that is created from his home business. It was also discussed that if Mr. Garden had a business sign the size that is allowed per the Zoning laws with the speed traveled on Route 32 no one would be able to read it. The Board addressed the question raised about Mr. Garden getting approval of a "Home Operation" variance, which was approved November 10, 2014. All discussions considered and noted, however Mr. Garden does have all of the necessary papers filed.

Motion made to close Public Hearing for Sandy Garden made by Joan Smith. Seconded by Tom Briggs. All in favor: 5, Opposed: 0, Motion carried.

Motion made to approve a sign variance for size to Sandy Garden at 10057 Route 32, made by Tom Briggs. Seconded by: Joan Smith. All in favor: 5, Opposed: 0, Motion carried

**Public Hearing: The National Bank of Coxsackie – Area Variance (Sign) 4894 SR 81 Greenville:
Tax Map #12.04-4-18
No Public Present**

Motion to open Public Hearing for The National Bank of Coxsackie made by Joan Smith. Seconded by: Tom Briggs. All in favor: 5, Opposed: 0, Motion carried

Ms. Bliss of NBC summarized her proposed plans for the sign on the bank's property. The property is approximately 0.68 acres and is zoned Hamlet Business. NBC plans to install a sign 49.5 square feet in size with internal lighting. NBC is asking The Board to be granted a sign variance because their sign is over the allowed size of 32 square feet in the Hamlet Business and for the use of internal lighting. The Board was presented with the plans and pictures of other signs comparable in size and design at other bank locations. The Board discussed the size and the proposed location of the new sign.

Board members reviewed the plans and pictures; no concerns were noted.

Motion made to close Public Hearing for The National Bank of Cocksackie made by Tom Briggs. Seconded by Joan Smith. All in favor: 5, Opposed: 0, Motion carried.

Motion made to approve a sign variance for size and internal lighting to The National Bank of Cocksackie at 4894 SR 81, made by Sandy Garden. Seconded by: Tom Briggs. All in favor: 5, Opposed: 0, Motion carried.

Cumberland Farms- Area Variance (Sign) 4887 SR 81 Greenville: Tax Map # 12.04-4-17

Ms. Carolyn Parker will be acting on behalf of Cumberland Farms. Ms. Parker of Cumberland Farms summarized her proposed plans in writing to seek approval to update existing signs on the store's property. The property is approximately 0.88 acres and is zoned Hamlet Business. Cumberland Farms plans to install updated gas pump signs and an updated large company name sign with intermittent lighting, which will change ever 8 seconds. Cumberland Farms is asking The Board to be granted "5" sign variances to allow their signs to be updated and internally lite with intermittent lighting. The Board was presented with the plans, pictures, and requested variances. The Board discussed that "10" variances would need to be filed in order to have the paperwork for the requested changes be in proper order. They also discussed that the brightness of the new updated signs may need to be addressed. Board members reviewed the plans and pictures, they also conducted a preliminarily review of the project; some conditions and concerns noted.

*Motion to accept the application for Cumberland Farms with the condition that they file "10" area variances for updated sign approval made by Joan Smith. Seconded by: Sandy Garden
All in favor: 6, Opposed: 0, motion carried.*

Sandy Garden – Area Variance (Sign) 10756 RT 32 Greenville: Tax Map # 24.04-1-7.2

Mr. Garden summarized his proposed plans for the change of an existing sign. This existing sign would be at an off premise location. The location of the proposed sign is on property owned by Greene County Power Equipment. Mr. Garden plans to install a sign on the property, however no money will be changing hands for the sign to be posted. There is a letter on file from the owner of Greene Power Equipment giving their permission. Mr. Garden is asking the Board to grant a sign variance for an off the premise sign permit. The Board was presented with pictures of the sign in size and design. There was discussion over the fact that the location of this sign has been many others business advertisements in the past. Some of the Board mentioned disapproval with the request. Board members reviewed the pictures, they also conducted a preliminarily review of the project; concerns were noted over the fact that the sign has had a high turnover of advertisers.

*Motion to accept the application made by John Ingalls.
Seconded by: Tom Briggs. All in favor: 4, Opposed: 1 (Joan Smith), motion carried.*

*Motion to close meeting made by Tom Briggs at 7:37pm.
Seconded by: Joan Smith. All in favor: 6, Opposed: 0, Motion carried.*