

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

June 9, 2015

Attendees: Sandy Garden, Mike Schlenker, Tom Briggs, Art Marini, Joan Smith, Tom Vance, Tal Rappleyea and Danielle Badamo-Overbaugh.

Guests: Gail Nichol森, Tor Oddvar Tryland, Marc Guntert.

Motion to open the meeting made by Joan Smith at 6:33pm.

Seconded by: Sandy Garden. All in favor: 5, Opposed: 0, Motion carried.

Pledge of allegiance

Motion to accept the minutes for May 12, 2015 made by Joan Smith.

Seconded by: Tom Briggs. All in favor: 5, Opposed: 0, Motion carried.

Marc Guntert- Area Variance @ 297 Fox Hill Road Tax Map #36.00-3-22

Mr. Guntert summarized his proposed plans to build a garage on his property. The property is approximately 0.45 acres and is zoned RR. The Board was presented with a drawing of the proposed plans. The Board discussed that the proposed plan would require a setback variance for road frontage. The proposed project does not meet the required setback guidelines. The applicant is asking for a variance to adjust the setback on the road frontage from the allowed 60ft to 52ft.

Motion to accept the application for Marc Guntert for an area variance of setback requirements made by Art Marini. Seconded by: Joan Smith. All in favor: 5, Opposed: 0, motion carried.

Motion to set the Public Hearing for Marc Guntert for July 14, 2015 at 6:30 pm for a setback variance made by Tom Briggs. Seconded by: Mike Schlenker All in favor: 5, Opposed: 0, Motion carried.

Gail Nichol森 & Tor Tryland- Area Variance @ 164 Fox Hill Road Tax Map #36.00-3-25

Mrs. Nichol森 & Mr. Tryland summarized their plans to build a pole barn on their property. The property is approximately 0.69 acres and is zoned RR. The Board was presented with surveyed maps. It was also clarified what the barn would be built of. The Board discussed that the proposed plan would require "2" variances with one fee. The project does not meet the required guidelines for setbacks in the rear and to the side of the adjacent properties. The applicants are asking for a variance to adjust the setback on the side to 25ft and on the rear to 10ft.

Motion to close the Public Hearing for Gail Nichol森 & Tor Tryland made by Art Marini. Seconded by: Tom Briggs. All in favor: 5, Opposed: 0, Motion carried.

Area Variance questions and requirements to be met read by Tom Vance. Answered by The Board. All requirements met.

Motion to approve an area variance for the side setback of 50ft for Gail NicholSEN & Tor Tryland at 164 Fox Hill Rd made by Art Marini. Seconded by: Tom Briggs. All in favor: 5, Opposed: 0, motion carried.

Motion to approve an area variance for the rear setback of 75ft for Gail NicholSEN & Tor Tryland at 164 Fox Hill Rd made by Sandy Garden. Seconded by: Joan Smith. All in favor: 5, Opposed: 0, motion carried.

*Motion to open the Public Hearing for Sandy Garden made by Art Marini. Seconded by: Tom Briggs. All in favor: 4, Opposed: 0, Motion carried.
Public Present*

Sandy Garden – Sign Variance @ 10756 RT 32 Greenville Tax Map # 24.04-1-7.2

Mr. Garden discussed his existing off premise sign. The location of the existing sign is on property owned by Greene County Power Equipment. Mr. Garden displays a business 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 preliminary review of the project; concerns were noted over the fact that the sign has had a high turnover of advertisers. Mr. Garden presented the Board with a list of businesses along RT 32 with permitted and non-permitted signs. Public member was concerned over the size and number of signs that are allowed at a business location. It was said that only “2” were allowed however, there are “3” at this time. All of the signs are preexisting and were “grandfathered” in before the Zoning Laws were in effect.

Motion to close the Public Hearing for Sandy Garden made by Tom Briggs. Seconded by: Joan Smith. All in favor: 4, Opposed: 0, Motion carried.

Area Variance questions and requirements to be met read by Tom Vance. Answered by The Board. All requirements met.

Motion to approve an off premise sign variance for Sandy Garden at 10756 RT 32 made by Art Marini. Seconded by: Joan Smith. All in favor: 4, Opposed: 0, motion carried.

Discussion

The Board and Tal discussed some of the Zoning Laws, new and old. It was questioned if signs erected before 2001 are still up and do not meet the Zoning requirements; can we request to remove the sign?

Yes, the Town Board would be the only party with the right to remove the sign in question, only after the Town Board & Code Enforcement investigates it.

Tal was asked if the Board is able to grant a variance approval with conditions.

Yes, variances can be approved with conditions.

Lighting was discussed again since Zoning Laws do not list specific variations of lighting. The Board would have to define the lighting requirements: Back-lite, Flashing Sign Emitting Light, etc.

Alternates

The Board discussed the vote count when an alternate is present for the meeting. Tal reported that if all Board members are present the alternates vote “will not” count. If there are “3” Board members present that’s a quorum and the alternates vote “will not” count.

Fees

The Board discussed the fees that are charged to applicants and whether or not multiply variances should have multiply charges.

Motion made to charge applicant “1” fee for multiple variances on one property at one specific time. Made by Art Marini. Seconded by: Joan Smith. All in favor: 5, Opposed: 0, Motion carried. It is noted that the Town Board is always able to change the fees charged.

Minutes

The Board discussed questions raised in regards to whether or not Board members can vote on minutes to be approved if they have not attended said meeting.

Motion made to allow all Board Members to vote on the minutes; whether they were present for the meeting in question or not made by Art Marini. Seconded by: Tom Briggs. All in favor: 5, Opposed:0, Motion carried.

Motion to close meeting made by Tom Briggs at 7:20pm. Seconded by: Art Marini. All in favor: 5, Opposed: 0, Motion carried.