

MINUTES

**Town of Wappinger
Zoning Board of Appeals
October 27, 2009**

**Town Hall
20 Middlebush Road
Wappinger Falls, NY**

Summarized Minutes

Members:

Ms. McEvoy-Riley,	Member
Mr. Casella,	Member
Mr. McVeigh,	Member
Mr. DellaCorte,	Vice-Chairman

Member Absent:

Mr. Prager,	Chairman
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Others Present:

Mr. Horan,	Town Attorney
Mrs. Lukianoff,	Zoning Administrator
Mrs. Roberti,	Secretary

SUMMARY

Public Hearing:

John Degnan

-Public Hearing on October 27, 2009.

Mr. Casella: **Motion to approve the minutes for October 13, 2009.**
Ms. McEvoy-Riley: Second the motion.
Vote: All present voted aye.

Appeal No. 09-7404

John Degnan - Seeking area variances of Section 240-29(F)(1)(D) of District Zoning Regulations for HD Zoning.

-Where a maximum signage of 50 sq. ft. is allowed on the north side of the building and where the maximum has already been met, the **applicant can provide 0 space, thus requesting a variance of 24 sq. ft. for an additional sign for Quick Cash.**

The property is located at **1708 Route 9** and is identified as **Tax Grid No. 6158-02-543530** in the Town of Wappinger.

Mr. McVeigh: **Motion to open the public hearing.**
Mr. Casella: Second the motion
Vote: All present voted aye.

Mr. Degnan: This building was originally just one tenant which was Hudson Valley Truck Leasing. Eventually we leased to Car Quest and then to Lumber Liquidators. The signage was based on three tenants never thinking I would have a fourth tenant. Sir Speedy only wanted 3,000 sq. ft. of a 5,000 sq. ft. space. So I then leased out the remaining 2,000 sq. ft. to Quick Cash. So I now have four tenants on the main floor and office tenants on the second floor. The tenants on the second floor require no signage.

Ms. McEvoy-Riley: Read into the record an email from Tom Morris, Chairman of the planning board for the Village of Wappingers.

Mr. DellaCorte: For the record we received a letter from DC Planning and essentially it says that if we approve this we will need a super majority.

Mr. Degnan: The Village is one of the worst offenders of signs so this is political. I have another project before the town and they are protesting that.

Mr. Horan: For the record I am the attorney for the Village of Wappinger Planning Board.

Mr. Degnan: The County is just against everything lately. Here you have a good taxpayer.

Mr. McVeigh: As far as the amount of signage for a building of this size, it's really not over whelming.

Mr. Horan: One of the issues which is potentially deficient with respect to the code is that the size of the upper limit of the size of the sign is not tied to the size of the building. Comparatively speaking this is a rather large building. Another 24 sq. ft. of signage on this building is not the same as that on a smaller building.

Mr. Casella: So the size of the sign in relation to the building won't then cause a hardship?

Mr. Horan: You would not be setting a precedent.

Mr. DellaCorte: Is there anyone in the audience with a comment? Hearing none. Barbara are the mailings in order?

Mrs. Roberti: Yes they are.

Mr. Casella: Motion to close the public hearing.

Ms. McEvoy-Riley: Second the motion

Vote: All present voted aye.

Mr. McVeigh: Motion to grant the variance. We did a site visit and it is not offensive. They cleaned up the additional signage out there and this would not be achievable by any other means. This will not be undesirable to the neighborhood since it faces the Wappinger Creek and Route 9. The variance is substantial but it will have no physical or environmental affect on the environment. This is self-created but there are no other means to achieve this.

Mr. Casella: Second the motion

ZBA Roll Call: Mr. McVeigh: Aye.

Ms. McEvoy-Riley: Aye.

Mr. Casella: Aye.

Mr. DellaCorte: Aye.

Mr. McVeigh: **Motion to adjourn.**
Ms. McEvoy-Riley: Second the motion
Vote: All present voted aye.

Meeting ended at 8:00 PM

Respectfully Submitted,

Barbara Roberti, Secretary
Zoning Board of Appeals