

MINUTES

**Town of Wappinger
Zoning Board of Appeals
January 25, 2011**

**Town Hall / 20 Middlebush Road
Wappinger Falls, NY
Time: 7:30pm**

Summarized Minutes

Members:

Mr. Prager,	Chairman	
Mr. Casella,	Member	
Mr. DellaCorte,	Member	
Mr. VanTine,	Member	
Mr. Kuzmicz,	Member	Late 7:40pm

Others Present:

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

SUMMARY

Public Hearing:

Osborne Square:

-Variance Granted.

Miscellaneous:

-Minutes accepted for 1-11-11

Mr. DellaCorte: Motion to approve the minutes for January 11, 2011.

Mr. Casella: Second the motion.

Vote: All present voted aye.

Appeal No. 11-7431

Osborne Square - Seeking area variances of Section 240-29(F)(2)(a) of District Zoning Regulations for HO Zoning.

-Where a **freestanding sign must be 25 ft. from the property line, the applicant is proposing 1 ft. from the property line, thus requesting a variance of 24 ft.**

The property is located at **1145-1147 Route 9** and is identified as **Tax Grid No. 6157-04-649068** in the Town of Wappinger.

Mr. Prager: Are the mailings in order?

Mrs. Dao: Yes they are.

Mr. Casella: **Motion to open the public hearing.**

Mr. VanTine: Second the motion.

Vote: All present voted aye.

Mr. Prager: Please explain everything again why you need a sign on Route 9. Mr. VanTine wasn't here at the last meeting and there might be someone in the audience that would like to find out some information about it.

Mr. Lund: We're installing a new covert pipe along the right-of-way on Route 9. The main reason we are asking for the variance is if we put the sign between the pipe and the easement, that we are giving the DOT, it would push the sign if we tried to stay within the setback into our curb road area. It doesn't even fit. We can't fit it at the entrance. Considering the fact there is such a great setback and the shoulder that's on Route 9, it actually becomes very impractical. By setting the sign back an additional twenty five feet, taking the setback to thirty feet for DOT.

Mr. Prager: We had a site inspection and did see where the proposed sign would be. It was nice that you put a pole on the ground so we can see where the sign is proposed to go. I can see why you need it where you do. I understand where the sign would be is quite a distance from the road.

Mr. Lund: The sign south of this property is in line with the proposed sign.

Mr. Prager: We noticed that also. There are other signs in that area. Other properties on route 9 have their signs about the same distance from the road.

Mrs. Roberti: Executive Park has a sign in the same.

Mr. Prager: Yes it does.

Mr. DellaCorte: Is the pole you put in the ground, the front of the sign close r to the road?

Mr. Lund: Yes it is closest to the road. It's pretty close to where the sign is proposed to be placed due to the snow.

Mr. Prager: Is there anyone in the audience how would like to make any comments for or against this variance? Let the record show, no one has any comments.

Mr. Lund: Thank you.

Mr. Casella: **Motion to close the public hearing.**

Mr. VanTine: Second the motion.

Vote: All present voted aye.

Mr. Casella: **Motion to grant the variance. This will not produce an undesirable change to the neighborhood. It's not unique because other signs to the south of the property similar to how far the sign comes out. It is not an adverse impact to the physical environment, or issues with the neighborhoods. I don't see any other feasible methods. I make a motion to grant this variance.**

Mr. VanTine: Second the motion

ZBA Roll Call: Mr. VanTine: Aye.

Mr. DellaCorte: Aye.

Mr. Casella: Aye.

Mr. Prager: Aye.

Mr. Kuzmicz was not present for the vote.

Mr. Horan: I would like to go into executive session for the purpose of receiving legal advice.

Mr. Casella: **Motion to go into executive session.**

Mr. DellaCorte: Second the motion.

Mr. DellaCorte: **Motion to come out of executive session.**
Mr. Casella: Second the motion.

Mr. Casella: **Motion to adjourn.**
Mr. DellaCorte: Second the motion

Meeting ended at 8:00 PM

Respectfully Submitted,

Susan Dao, Secretary
Zoning Board of Appeals