

Town of Ulster
Zoning Board of Appeals
March 11, 2020

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on March 11, 2020, at 7:00 P.M.

Present:

Lois Smith
Kevin Reginato

Robert Porter
Geoffrey Ring – Chairman

Absent:

Andi Turco-Levin

Roll call.

A motion to nominate Gabrielle Perea as the Zoning Board Secretary was made by Chairman Ring, with a second from Ms. Smith; all in favor.

A motion to approve the minutes from the November 2019 meeting was made by Mr. Porter with a second from Chairman Ring; all in favor.

PRELIMINARY HEARING

Ulster Commons IV – Z-379
1561 Ulster Avenue
SBL: 39.82-2-7.111
Zone: OM (Office & Manufacturing)
Area Variance

Jeff Kane and Mel Grillo, Kirchhoff Property Management, are present on behalf of an application to allow for a second freestanding sign for Caremount Medicals' Urgentcare in the Ulster Commons Plaza.

Mr. Kane explained that Caremount Medical has a parcel behind the strip that has Ulster Saving and the upcoming Mexican restaurant. Mr. Kane stated that there is an existing pylon sign that has the existing tenants on it and the applicant would like to install a new freestanding sign, because this location isn't having the same success as other Urgentcare locations. The applicant believes a freestanding sign solely for Urgentcare would then give the feeling of having its own identity separate from the commercial identity.

Mr. Kane explained that, if approved, the Urgentcare panel would come off of the existing sign and a new freestanding sign would be installed on the other side of the entrance that will have only Urgentcare on it and will be visible coming from both directions on 9W.

Mr. Kane stated that Caremount can't put the sign on their property because their road frontage is on a ramp so it would not be visible. Mr. Kane explained that the original submittal for a fifty-six square foot (56 sf) sign has now been lowered to forty-seven point nine square feet (47.9 sf), to bring it into compliance with a freestanding sign in an OM Zone.

There was a brief discussion regarding the subdivided parcels and ownership of said parcels. Chairman Ring told he applicants that he believes they would need a legal interpretation to see if each parcel is allowed their own signage. Mr. Kane stated that since the location is managed as

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one entity, even though owned by separate people, he is looking for a second sign for the property as a whole. Mr. Kane stated that Caremount, being set back, needs to create its own medical presence by way of a sign solely for Caremount. The Urgentcare entrance is in the rear of the Caremount building so without the proposed sign, many patients do not know that it is there.

Ms. Smith asked if the proposed sign would block All That Java that had recently moved their business location to the corner of the parking lot by Ulster Savings Bank. Mr. Kane stated that All That Java is a tenant that they respect and work with and their sign will not block their business.

Warren Tutt, Town of Ulster Building Inspector, asked if Caremount has exceeded the square footage allowed for their building signage. Mr. Kane stated that he believes they maxed out when they did the signs, but it is too long ago to remember. Mr. Tutt explained that a variance for a wall sign for the building may be an option because the sightline could be seen from further away than a monument sign. Mr. Kane stated that he did speak with Caremount with that as an option, but the consensus was for a monument sign solely for Urgentcare.

A motion to close the preliminary hearing was made by Chairman Ring, with a second from Mr. Porter; all in favor.

Action: A motion schedule a public hearing in April was made by Mr. Porter, with a second from Chairman Ring; all in favor. A motion to refer this matter to the Ulster County Planning Board (UCPB) for review was made by Chairman Ring, with a second from Mr. Porter; all in favor.

DISCUSSION

Chairman Ring stated that the ZBA had rescinded a use variance that was granted for a landscaping business at 51 Sawkill Road a year ago. Chairman Ring stated that there seems to be additional materials that are continually added to the site and asked Mr. Tutt what the status was. Mr. Tutt stated that the Town had to find special counsel to bring the landowner to court. Mr. Tutt explained the timeline to the Board. Chairman Ring stated that many of the neighbors had issues with the business, as well as the soccer field, and when the Board denies allowance of a use, it needs to be adhered to.

Mr. Porter mentioned vehicles that have popped up for sale next to Spiegel Brothers across from the Business Resource Center (BRC) on Ulster Avenue. Mr. Tutt stated that he spoke with Mr. Spiegel and Mr. Spiegel did not know where they came from. Mr. Tutt stated that he will post all the vehicles and that will get the cars out of there.

Chairman Ring stated that he received a call from a residence on Potter Hill Road about work being done at 157 Potter Hill Road. Mr. Tutt stated that is aware of the situation and he is going to have to go out there very early or late at night in order to see work being done as the property owner avoids working during regular business hours.

A motion to adjourn was made by Chairman Ring, with a second from Mr. Porter; all in favor.

Respectfully Submitted,
Gabrielle Perea
Zoning Board Secretary