

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

May 13, 2014 Minutes

Attendees: Tom Briggs, Sandy Garden, Art Marini, Joan Smith, and Mary Carney.

Guests: Bill Silk (Code Enforcement Officer); David Leal (LMC Property Management); George Schmitt (Morris Associates); Mark & Mary Jacobs; and Vicky Poole.

Motion to open the meeting made by Tom Briggs at 6:05pm

Seconded by: Joan Smith

All in favor: 4, Opposed: 0, Motion carried.

Pledge of allegiance

Motion to accept the minutes for April 8, 2014 made by Joan Smith

Seconded by: Art Marini

All in favor: 4, Opposed: 0, Motion carried.

Motion to open the Jacob/Poole Public Hearing made by Joan Smith

Seconded by: Art Marini

All in favor: 4, Opposed: 0, Motion carried.

Jacob/Poole - Area Variances for an Altered Lot Line

Mary & Mark Jacobs (Tax Map # 52.00-2-16) Lot Size: 1.98 acres

Richard Poole (Tax Map # 52.00-2-17) Lot Size: .8 acres

The applicants Altered Lot Line application was denied by the Planning Board due to the substandard size of the lots. Both lots are currently smaller than the lot size minimum of 5 acres in the RR zoning district; therefore, the Planning Board determined that both properties would require an area variance to proceed with the Altered Lot Line. Years ago the Pooles accidentally placed two trailers, a bridge, and an electrical line on the Jacob's property. The Pooles believed they had placed these items on their own property, because they did not realize that the property line was slightly diagonal, as opposed to a straight line. To amend this, the Jacobs are proposing an altered lot line that would result in the Pooles acquiring the 50 foot strip of land that they have built on (approximately .4 of an acre). As a result, the Jacob's lot would decrease to approximately 1.54 acres and the Poole's lot would increase to 1.2 acres. In summary, the approximate variances required are a 3.46 acre variance for the Jacobs and a 3.8 acre variance for the Pooles.

Chairman Tom Briggs asked if any members of the public wanted to comment on the variance application. No comments were offered or submitted in writing.

Motion to close the Public Hearing made by Joan Smith.

Seconded by: Art Marini

All in favor: 4, Opposed: 0, Motion carried.

Board members reviewed the revised maps and the criteria for an area variance. The Board had no substantial concerns or issues with the variance applications.

Motion to approve the area variances, as outlined in the applications, made by Art Marini.

Seconded: by Joan Smith

All in favor: 4, Opposed: 0, Motion carried.

David Leal (LMC Property Management) – Sign Variance Applications (Tax Map #12.02-1-12.1)

Motion to open the Dunkin Donuts Public Hearing made by Art Marini

Seconded by: Joan Smith

All in favor: 4, Opposed: 0, Motion carried

The project involves the construction of a Dunkin Donuts on the parcel in front of GNH on CR 32. The applicant has submitted ten sign permits to the Building Department and will require a number of variances. Five of the signs will be on the building and five will be on the surrounding property.

Nine of the signs will require a variance because they will be internally lit. In addition, according to the Sign Law, the business is only allowed to have two signs; as a result eight of the signs will require a variance because they are considered additional. Finally, the site sign will require a height and square footage variance. The site sign will be located in the same place as the current sign, but it will be a new structure.

In total, eighteen sign variances will be needed:

- nine variances for internally lit signs,
- eight variances for additional signs (over the two sign minimum), and
- one height and square footage variance for the site sign.

George Schmitt, Project Engineer, noted one change to the original application; the layout of the site sign has changed slightly. Currently there are three signs on the site sign, all advertising for GNH. These three signs will be combined into one sign with the Dunkin Donuts sign above. The content of the signs will remain the same.

Chairman Tom Briggs asked if any members of the public wanted to comment on the variance applications. No comments were offered or submitted in writing.

Motion to close the Public Hearing made by Art Marini.

Seconded by: Sandy Garden

All in favor: 4, Opposed: 0, Motion carried.

Board members reviewed the variance applications and site plans. The Board had no substantial concerns or issues with the variance applications.

Motion to approve an internally lit variance and an additional sign variance for sign A1 (awning sign) made by Sandy Garden.

Seconded: by Art Marini

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and an additional sign variance for sign A2 (building sign) made by Art Marini.

Seconded: by Joan Smith

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and an additional sign variance for sign A4 (building sign) made by Joan Smith

Seconded: by Sandy Garden

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and an additional sign variance for sign A5 (awning sign) made by Art Marini.

Seconded: by Joan Smith

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and a height and square footage variance for sign S1 (site sign) made by Joan Smith.

Seconded: by Sandy Garden

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and an additional sign variance for sign S2 (freestanding sign) made by Sandy Garden.

Seconded: by Joan Smith

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and an additional sign variance for sign S3 (freestanding sign) made by Art Marini.

Seconded: by Sandy Garden

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and an additional sign variance for sign S4 (freestanding sign) made by Joan Smith.

Seconded: by Art Marini

All in favor: 4, Opposed: 0, Motion carried.

Motion to approve an internally lit variance and an additional sign variance for sign S5 (freestanding sign) made by Sandy Garden.

Seconded: by Art Marini.

All in favor: 4, Opposed: 0, Motion carried.

(See site plan for further details on signs.)

Motion to close the meeting made by Joan Smith.

Seconded by: Sandy Garden

All in favor: 4, Opposed: 0, Motion carried.