



**MINUTES OF MEETING
ZONING BOARD OF APPEALS
TOWN OF CHESTER
AUGUST 23, 2016**

The meeting was called to order by Mary Jane Dower at 7:02PM.

ATTENDANCE:

Chairperson Mary Jane Dower, Bill Oliver, Bob Walp, Arnold Jensen and Tom Thorsen. Also, in attendance was Walt Tennyson (Zoning Administrator), Edna Wills, Nancie Welch, Rand Fosdick, Karen DuRose and Dave House.

PUBLIC HEARING:

Mary Jane Dower opened public hearing at 7:03PM.

#433-V: David House is requesting a 15 square ft. variance, according to Section 7.04 of the Town of Chester Zoning Local Law, in order to erect a 39 square ft. monument sign for the Rite Aid retail store. Property is located at 6272 State Route 9, identified by Tax Map Parcel #: 104.14-1-39, in Zone Classification Hamlet.

Dave House representing Rite Aid posted a site plan, a rendered picture of what sign will look like and position of sign. An LED light strip will be on each side. It is the only place the sign can really go and they want it to improve the chances of customers seeing the store as they approach from each direction. Some signage has been removed from original proposal as well as one gable. Need to make an island for the sign with shrubbery, mulch etc... It is not obstructive to vehicles trying to get around parking lot. Walt and Jeremy figured out the size that would be appropriate.

All directional signs were in original variance requests.

Bob Walp asked if sign could be smaller and why do they really need it?

Dave House states they have already cut the size of the sign based on Walt and Jeremy's recommendation. He also states it will be an asset to the town and will look very nice. It's a retail box store and they want the signage. Dave agrees it is not a necessity but is what Rite Aid has requested for him to do.

Bob Walp wants to know why they want it? He says you are asking for board to make an exception and they don't believe they are getting it approved because of the other approvals they already have.

Bob Walp does not believe we need to make an exception. There is no reason to. They have large sign on front of the building.
He feels that it's our town and our decision not Rite Aid.

Dave House states planning board approved it already. It will be a new building once completed. It will look much better than ever before.

Mary Jane Dower asked Dave to explain how the traffic will flow around lot to drive thru.

Arnold Jensen feels it is not out of character for the area.

Mary Jane Dower read a letter from the Warren County Planning Board which states that it is of a local nature and has no significant impact on County Properties.

Tom Thorsen asked Dave to explain exact location and direction of sign. It will be perpendicular to the road near the light post.

Motion made to close hearing by Arnold Jensen, Seconded by Bill Oliver, All in favor. 5-0.

Bill Oliver made motion to classify this project (application #433-V) as a Type II action which does not require further review under SEQRA and to declare a negative declaration due to the project having no impact on the environment.

Seconded by Tom Thorsen. All in favor. 5-0.

Area Variance Criteria-

1. Can benefit be achieved by other means? Yes, (1 member) other options available but only location for the sign. (4 members)
2. Is it a detriment to nearby properties or an undesirable change in neighborhood? No.
3. Is the request substantial? Yes due to size but relative to others nearby.
4. Physical or environmental effects to neighborhood? No.
5. Is difficulty self-created? Yes. They do not have to have the sign.

Bill Oliver made motion to approve variance request #433-V. Seconded by Tom Thorsen. 4 in favor, 1 opposed.

CORRESPONDENCE: Zoning Administrator and Sanitary Code Enforcement Officers Activity report for June and July 2016.

NEW BUSINESS: None.

OLD BUSINESS: None.

MINUTES:

Arnold Jensen made motion to approve minutes from June 28, 2016 meeting. Seconded by Bill Oliver. 4 in favor, 1 abstain (Mary Jane Dower absent from meeting)

PUBLIC PRIVILEGE: None.

BOARD PRIVILEGE: None.

Mary Jane asked if Karen DuRose was on sign committee and how was it coming along? She stated she is not on that one. Tom Thorsen said zoning is getting reviewed and they are trying to update. It is very outdated and does not cover illumination and solar etc...

Bob Walp feels because he is so new he is lone voice in this. He feels why do we have rules if we keep approving variances. 11 variances already approved for them and feels they do not need another. Why do we have this board if we approve all variance requests?

We need to figure out our goal and what we want to achieve when deciding what zoning laws should be in affect.

Tom Thorsen said as a rule old schoolers wanted less signage and smaller signage. But we have to consider what size is appropriate for legibility at a distance so there is less chance of traffic accident, etc...

Mary Jane Dower feels laws have to be upgraded every 5 to 10 years and to include definition of illumination , solar, etc...

ADJOURNMENT:

Arnold Jensen made motion to close meeting. Seconded by Bill Oliver. All in favor. 5-0.

Respectfully submitted,

Brandi Bessette
Secretary
Zoning Board of Appeals