

Village of Fishkill
Zoning Board of Appeals Meeting
June 25, 2009 – 7:30 p.m.

Anthony Ruggiero: Chairman opens the meeting at 7:30 p.m. Those present: Anthony Ruggiero, Cathy Ann Nicholson, Mary Brockway, Tom Newhard, Sarah Brown, Village Planner, Tom VanTine, Building Inspector, and Don Van Nostrand, Secretary. Absent: Gerry DiLoreto.

Anthony Ruggiero: We have the minutes from the last meeting held on April 23, 2009. I will entertain a motion to accept or make any corrections to the minutes.

Cathy Ann Nicholson: I make a motion to accept the minutes for March 26th. Motion seconded by Tom Newhard. Is there any discussion on the motion? No. All in favor? Aye. Any opposed? No. Motion carried.

Anthony Ruggiero: Tonight we have a discussion on Fishkill Route 52 LLC located at 1004 Main Street.

Representing Fishkill Route 52 LLC is Ozzie Beichert of Timely Signs and Tom Hodge who is the property manager for 1004 Main Street.

Ozzie Beichert: I own Timely Signs and we are representing Main Street Plaza. Basically, I will start showing you the existing sign which we would like to replace. This is a difficult location to see and safely turn in and out of. We have given you this rendition of the sign and the top portion is not illuminated. The middle of the sign is internally illuminated and there is some external lighting for accent. The ground mounted lighting is pointed up to highlight the flowers, shrubs and base of the sign. If you look at that the night time rendition in your package you can see the illumination.

Tom Newhard: Does the sign have to be moved back from the property line?

Ozzie Beichert: This is one of the questions we have to answer before the public hearing. I have discussed this with Tom VanTine and I believe we have 15 feet and we have to establish exactly where the property line is. Looking at where the sign is we do have the ability to move it back

Tom Hodge: This is going to be a different foundation so if we have to move it back it will not be a problem. We will comply with the 20 feet setback.

Ozzie Beichert: On the way here this evening I stopped at the Fishkill Village Square which is the plaza just south of this location on the same side of the street. I measured the sign and it was 8 by 9 feet which is 72 square feet. On the other side of the street there is the Cecilwood Plaza and the sign measures 5 by 9 ½ feet which is 47 ½ square feet. I do not think our request is out of character for this neighborhood. I think it will be a lot safer to list the tenants on the sign so people will know when to turn in and out. Quite frankly, the sign which is there now is very hard to see.

Anthony Ruggiero: As for the tenant spaces, do you have twelve spaces on the new sign? Is there room for expansion?

Tom Hodge: Yes, you know the old Grand Union has been broken down to a couple of spaces and we have taken that into consideration in the design of the new sign.

Anthony Ruggiero: Now, what about the property line. You have to be twenty feet from your property line.

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Ozzie Beichert: The current sign is at least fifteen feet back from the sidewalk but I do not know where the property line is. We have to determine that and then measure it. We do have the room on the island to adjust it.

Mary Brockway: I am looking at all the tenant spaces. Are they all going to be one color or are they going to be different logos and colors?

Ozzie Beichert: The intent here is to make it one color and the one exception may be a slight color change for one tenant. One tenant has a logo that has a small blue ball on it and that tenant is here tonight and she can explain that to you. Yes, to answer your question everyone has to be in compliance.

Tom Hodge: All the signs are going to be the same. We are not going to have various colors. It looks a lot better to have one color on all the signs. We are trying to make the plaza look better.

Ozzie Beichert: Judy Stokes is here from St Lukes Urgent Care and one of the tenants and would like to address the Board.

Judy Stokes: I would like to say St Lukes is thrilled to be part of this community and the Village has been very welcoming to us. Urgent Care is doing very well so I would like to say thank you. I think the new sign is beautiful and I think they have done a good job in designing the sign. What you see on our sign is our logo and we would like to have it on the sign. Thank you.

Anthony Ruggiero: Okay, so you are requesting a variance for size and possibly a variance for setback if you do not have the distance from the property line based on where the light pole is located next to the sign.

Ozzie Beichert: Yes, I would prefer putting that on now and asking for a variance in case it is needed.

A lengthy discussion followed on the setback, location of placement and need for tenant identification on the proposed sign.

Anthony Ruggiero: Okay, if there is no further discussion I will entertain a motion to set a public hearing for next month which would be July 23rd.

Cathy Ann Nicholson: I could make that motion but I know I will be away that week and will not be able to attend.

Anthony Ruggiero: Can all the members of the Board make the meeting if we schedule the public hearing for the following week which would be July 30th?

All members acknowledged that they could attend on July 30th.

Cathy Ann Nicholson: I make a motion that a public hearing be held on July 30, 2009 for Fishkill Route 52 LLC for a variance application for a sign setback and a size variance. Tom Newhard seconded the motion. Any further discussion? None, All in favor? Aye. All opposed? None. Motion carried.

A discussion followed on the applicants going before the Planning Board for approval on the content of sign. Ozzie Beichert agreed to submit an application to the Planning Board in order to be scheduled.

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Anthony Ruggiero: That is all the agenda items we have tonight. Is there a motion to close the meeting?

Cathy Nicholson: I make a motion to close the meeting. Motion seconded by Tom Newhard. All in favor? Aye. Motion carried.

Respectfully submitted,

Don Van Nostrand
Zoning Board Secretary