

Town of Hyde Park
ZONING BOARD OF APPEALS
4383 Albany Post Road
Hyde Park, NY 12538
845-229-5111 ext. 2

RECEIVED
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TOWN CLERK
HYDE PARK, NY

RESOLUTION TO GRANT AREA VARIANCE

Ulster Savings Signage
4240 Albany Post Road

Date: September 22, 2021

Motion: Richard Perkins

Resolution #21-17Z

Second: Gerald Bowen

WHEREAS, the applicant, Cosimo Town Center, LLC, has submitted an application for area variances to increase the maximum permissible graphic and letter height for wall signs on an existing building (the "Project") on property located at 4240 Albany Post Road, identified as tax parcel no. 6064-02-965956-0001, in the Town Core Zoning District (the "Site"); and

WHEREAS, the proposed signage is depicted on a signage plan entitled "Ulster Savings – Hyde Park Branch," prepared by Timely Signs of Kingston, Inc., dated July 18, 2021 (the "Sign Plan"), depicting signs on the western and northern faces of the building at the Site (the "Western Sign" and "Northern Sign"); and

WHEREAS, on September 1, 2021, by Resolutions # 2021-40A, the Hyde Park Planning Board granted the applicant discretionary bonuses to increase the standard letter height from 10 to 12 inches and to increase the standard symbol size from 10 to 17 inches on the Northern Sign; and

WHEREAS, on September 1, 2021, by Resolutions # 2021-40B, the Hyde Park Planning Board granted the applicant discretionary bonuses to increase the standard letter height from 10 to 17 inches and to increase the standard symbol size from 10 to 18 inches on the Western Sign; and

WHEREAS, following the relaxation of the standards at Zoning Law § 108-24.2(F)(2) by the Planning Board, the applicant seeks the following area variance:

1. To permit a height of 24 inches for the symbol on the Western Sign, where a maximum height of 17 inches is permitted for said logo pursuant to Zoning Law § 108-24.2(F)(2)(a) and Planning Board Resolution # 2021-40B (the "Requested Variance"); and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development, which responded on September 8, 2021, that the Project was a matter of local concern; and

WHEREAS, a duly noticed public hearing regarding the application was held on September 22, 2021, during which all those who wished to speak were heard; and

WHEREAS, on September 22, 2021, by Resolution #21-17Z-b, the Zoning Board of Appeals determined that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, the applicable standards for considering an area variance are set forth in Town Law Section 267-b and Hyde Park Zoning Law Section 108-33.6(B)(2), which require the Board to take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the general neighborhood or community by such grant.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals makes the following findings in accordance with Section 267-b of the Town Law and Hyde Park Zoning Law Section 108-33.6(B)(2) regarding the Requested Variance:

1. The Requested Variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

The increased dimension for the signs' Ulster Savings ("US") logo allows the applicant to easily and effectively represent itself to passersby traveling along Albany Post Road, aka Route 9. The sign design is not intrusive or out of character with the area. The scale of the symbol is proportionate to the size of the wall and building on which it is displayed. If the sign were made to comply with the symbol size restrictions of the Zoning Law, the symbol would look out of scale and disproportionately small when compared to the scale of the building and the lettering on the rest of the sign. The increase in the permissible symbol height will therefore not have a significant impact on the neighborhood or negatively affect nearby properties.

2. The benefit sought by the applicant could be achieved by some method, feasible for the applicant to pursue, other than an area variance.

The applicant wishes to display their logo and name in order to represent itself to passersby and alert potential visitors of its location. The applicant could potentially reduce the size of the US symbol but doing so would make the symbol less easily discernible and would make it appear out of place in the context of the overall sign.

3. The Requested Variance is numerically substantial. If granted, the permitted dimensions for the US logo would increase by 7 inches, an increase of approximately 41%.
4. The Requested Variance will not have an adverse effect or impact on the physical or environmental conditions in the general neighborhood or district.

Allowing the symbol size to be larger than what is permitted by the Zoning Law will not result in the sign having any significant additional adverse

effects on the environment. As discussed above, the impacts of the Requested Variance on the Site and neighborhood will be minimal. There will be no ground disturbance or impact on environmental resources as a result of the area variances, and the impact the sign will have on the environment would be approximately the same if the symbol were zoning compliant.

5. The difficulties are self-created.

BE IT FURTHER RESOLVED, that the Zoning Board of Appeals hereby grants the Requested Variances subject to the following condition:

1. Payment of all fees and escrow.

Adopted: September 22, 2021

ROLL CALL VOTE BY SECRETARY

James Agrawal	YES	
Gerald Bowen	YES	
Paul Donnelly	YES	
Richard Perkins	YES	
David McNary	YES	CARRIED

Filed by,



Sarina Teuschler

Secretary to the Zoning Board of Appeals