

**Village of Fishkill  
Zoning Board of Appeals Meeting  
April 26, 2012**

The meeting was opened at 7:00 p.m.

Present: Cathy Ann Nicholson, Tom Newhard, Tom Brooks, John DePew, Terry Palumbo and Greg Brown. Also present: Sarah Brown, Village Planner and Don Van Nostrand, Secretary.

John Depew makes a motion to accept the minutes for the last meeting held on March 22, 2012. Motion seconded by Tom Newhard. All in favor: 5. Opposed: 0. Motion carried.

John Depew makes a motion to open the public hearing for GJP Enterprises located at 5 Schuyler Blvd for four area variances. Motion seconded by Tom Brooks. Votes for: 5 Votes against: 0 Motion carried.

The legal notice was published in the Poughkeepsie Journal and copies of the legal notice were mailed to the adjoining property owners by the applicants.

Applicants - Flory's Family                      - Business Owners  
                  - Mark Day                         - Day Engineering  
                  - Nicholas Ward-Willis   - Keane&Beane PC

Attorney Nicholas Ward-Willis reviewed a summary of the application and went through the variance standards and covered the four variances requested.

Mark Day of Day Engineering covered each variance in detail and answered board questions on the individual variances requested.

Sarah Brown of FP Clark Associates covered her comments (letter on file) and stated that the application was referred to Dutchess County Planning. Their comment letter was that this application was considered a local matter and no super majority vote would be required.

No comments from the public were made on this application.

John Depew makes a motion to close the public hearing. Motion seconded by Tom Brooks. Votes for: 5 Votes Against: 0 Motion carried.

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Terry Palumbo makes a motion to approve the first variance to allow the encroachment of the canopy and the gas pump allowance of 26.9 feet as shown on the site plan. Motion seconded by John Depew. Votes for: 5 Votes against: 0 Motion carried.

Terry Palumbo makes a motion to approve three building mounted signs (neon bands). Motion seconded by John Depew. Votes for: 5 Votes against: 0 Motion carried.

Terry Palumbo makes a motion to approve the additional signage (neon bands) on the east, west and north side of the primary building and the north side of the canopy. Motion seconded by John Depew. Votes for: 5 Votes against: 0 Motion carried.

John Depew makes a motion to approve the variance for the building mounted sign with the logo as proposed and with the additional 33.0 square feet. Motion seconded by Tom Brooks. Votes for: 5 Votes against: 0 Motion carried.

Chairperson Cathy Ann Nicholson announces that next on the agenda is a public hearing for Days Hotel.

Tom Newhard makes a motion to open a public hearing for Days Inn located at 20 Schuyler Blvd. Motion seconded by Tom Brooks. Votes for: 5 Votes against: 0 Motion carried.

The legal notice was published in the Poughkeepsie Journal and copies of the legal notice were mailed to the adjoining property owners by the applicant.

Applicant - Eddie Shurbaji - Hotel Manager

Mr. Shurbaji presented the plans for the new proposed sign and discussed the need for better visibility of the hotel on Route 9.

Public comment - Mrs. Shurbaji questioned the Village zoning laws on signage. Village Planner Sarah Brown explained the sign laws on roof signs.

After a lengthy discussion between the applicant and the board it was decided that a better definition of the roof line was needed. It was agreed that the public hearing would be kept open until the next meeting scheduled for May 24, 2012.

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John Depew makes a motion to adjourn the meeting. Motion seconded by Tom Newhard. All in favor. Aye. Opposed: None. Meeting adjourned.

Submitted by,  
Donald Van Nostrand  
Zoning Board Secretary