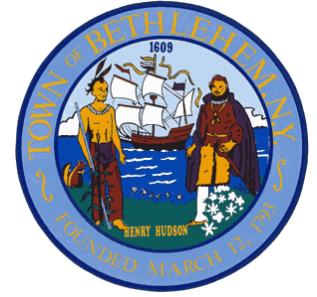


# TOWN OF BETHLEHEM

*David VanLuven*  
Town Supervisor

## Zoning Board of Appeals Minutes



*David Devaprasad*  
Chairman

Wednesday, May 2, 2018  
6:00 PM

### I. Call to Order

A Regular Meeting of the Zoning Board of Appeals of the Town of Bethlehem was held on the above date at the Town Hall Auditorium, 445 Delaware Avenue, Delmar, NY. The Meeting was called to order at 6:00 PM.

Attendee Name	Title	Status	Arrived
Dave Devaprasad	Chairman	Absent	
Jane Barnes	Board Member	Present	
Joshua Beams	Board Member	Present	
Donna Giliberto	Board Member	Present	
Jeremy Martelle	Board Member	Present	
Michael Moore	Planning/Zoning Board Counsel	Present	
Mark Platel	Assistant Building Inspector	Present	
Craig Yaiser	Assistant Building Inspector	Absent	
Kathleen Reid	Assistant to the Zoning Board of Appeals	Present	

### II. Public Hearings

- A.** Public Hearing continuation - Jersey Mikes-380 Feura Bush Road, Glenmont for Area Variance(s) under Article VI, Signs, Section 128-59, J. Amended application submitted to include size of sign. (18-01000002)

The Applicant is proposing to install a sign to the back of the structure which will be the second sign for the business, where only one sign is allowed, additionally the total sf of all signs will be 70 square feet where only 50 square feet is allowed. The existing use of the property is a shopping center with mixed commercial uses and is located in the Commercial Hamlet Zoning District.

A Motion to indent the Public Hearing notice into the minutes was offered by Ms. Barnes, Seconded by Mr. Beams.

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Appeals of the Town of Bethlehem, Albany County, New York will hold a Public Hearing on Wednesday, May 2, 2018 at 6:00 PM, at the Town Offices, 445 Delaware Avenue, Delmar, New York, to take action on an amended application submitted by A.J. Sign Company on behalf of Benderson

Development for signage located at Jersey Mikes, 380 Feura Bush Road, Glenmont. The applicant is proposing an additional wall sign where only one is allowed an amended application was submitted as the proposed sign is over the allowable square footage under Article VI, Section 128-59 J (2) of the Town Zoning Code.

Tom Wheeler of A.J. Sign Company was present on behalf of the Applicant.

The following items were discussed:

Size of signage proposed

Signage of adjacent businesses

Visibility of restaurant from Route 9W and shopping plaza

Sign will have illuminated channel letters and was noted that the back of sign will not be internally illuminated

Applicant will not illuminate the backer board to negate a third variance

ACPB determined that the proposed action would have no significant countywide or intermunicipal impact and deferred for local consideration.

There was no one present to speak in favor or in opposition to the application.

The Board voted to close the Public Hearing as follows:

<b>RESULT:</b>	<b>CLOSED [UNANIMOUS]</b>
<b>MOVER:</b>	Joshua Beams, Board Member
<b>SECONDER:</b>	Jane Barnes, Board Member
<b>AYES:</b>	Jane Barnes, Joshua Beams, Donna Giliberto, Jeremy Martelle
<b>ABSENT:</b>	Dave Devaprasad

### **III. Applications - Review and Possible Public Hearing Scheduling**

No New Applications

### **IV. Resolutions**

No Resolutions

### **V. Discussion/Possible Action**

- **JERSEY MIKES-380 FEURA BUSH ROAD, GLENMONT**

The Board voted to APPROVE both variances as follows:

Mr. Martelle-

- Business not visible to motorist on Route 9W
- The variance is minimal

Mr. Beams-

- Does not create an undesirable change to area
- Benefit cannot be achieved by another method
- Not self-created
- Not substantial variance
- Will not have an adverse physical or environmental impact

Ms. Barnes-

- Agrees for all reasons previously stated
- Not visible to foot traffic within the plaza

Ms. Giliberto-

- Not visible from Route 9W
- Overall good business for community
- Not self-created

**VI. New Business**

**VII. Minutes Approval**

**A. Wednesday, April 18, 2018**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Joshua Beams, Board Member  
**SECONDER:** Donna Giliberto, Board Member  
**AYES:** Jane Barnes, Joshua Beams, Donna Giliberto, Jeremy Martelle  
**ABSENT:** Dave Devaprasad

**VIII. Adjournment**

**Motion To: Adjourn**

**RESULT:** ADJOURN [UNANIMOUS]  
**MOVER:** Joshua Beams, Board Member  
**SECONDER:** Jane Barnes, Board Member  
**AYES:** Jane Barnes, Joshua Beams, Donna Giliberto, Jeremy Martelle  
**ABSENT:** Dave Devaprasad

The Meeting was adjourned at 6:20 PM

Next Regular Meeting May 16, 2018