

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

RESOLUTION TO GRANT AREA VARIANCE

Culinary Institute of America Signage
1946 Campus Drive
Hyde Park, NY 12538

Date: June 22, 2022

Motion: Chairman David McNary

Resolution #22-10Z

Second: James Agrawal

WHEREAS, the applicant, Timely Signs of Kingston, has submitted on behalf of the Culinary Institute of America an application for an area variance to increase the maximum permissible square footage of freestanding monument signs on an existing education facility located at 1946 Campus Drive, Hyde Park, NY, identified as tax parcel nos. 6063-02-906630 and 6063-02-966578, in the Saint Andrews Zoning District (the "Site"); and

WHEREAS, the proposed signage is depicted on a signage plan entitled "Culinary Institute of America - Replacement Monument Signs," prepared by Timely Signs of Kingston, Inc., dated April 1, 2022 (the "Sign Plan"), depicting signs at the north entrance and south entrance of the Site (the "Northern Sign" and "Southern Sign"); 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 June 7, 2022 that the Project was a matter of local concern; and

WHEREAS, a duly noticed public hearing regarding the application was held on June 22, 2022, during which all those who wished to speak were heard; and

WHEREAS, on June 22, 2022, by Resolution #22-10z-A, 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 be a detriment to nearby properties.

The increased square footage of the sign is to allow the word “Restaurants” to be separate from the main sign face with its new logo. This allows the applicant to easily and effectively represent both its school and restaurants to passersby traveling along Albany Post Road (a.k.a. Route 9) in either direction. The sign design is not intrusive or outstanding. The scale of the sign face is proportionate to the size of the stone structure on which it is displayed. As the new sign faces will be mounted to the existing monument structure, no ground will be disturbed.

While the proposed signage is larger than what is permitted by code, it is actually coming more into compliance than the existing signage – therefore it will have less of an impact than the existing signs.

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 is rebranding and wishes to display their new logo, school name, and the word “Restaurants” in order to represent itself to passersby and alert potential visitors of its location. The applicant could potentially reduce the overall size of one or both of the sign faces, but doing so would make the symbol and wording less easily discernible and would make its width smaller than the existing structure to which it will be attached. The applicant wishes to reuse the existing structure.

Alternately, the applicant could add “Restaurants” beneath the logo on the primary sign panel. The applicant has stated that there is only stone visible behind the “Restaurants” sign, so this sign panel can be removed if necessary. However, the applicant states that for “Restaurants” to be readable to drivers on Route 9, these letters would be larger than the logo itself. Adding it all to one sign would crowd and overwhelm the new logo, and the applicant does not want this.

3. The Requested Variance is not numerically substantial. If granted, the permitted square footage of the sign faces would increase by 5.35 square feet, an increase of approximately 17.8%. Additionally, the new signs will be more compliant with the Town Code than the existing signs.
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 sign faces to increase in square footage beyond 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 increasing sign face size, and the impact the sign will have on the environment would be approximately the same if the sign square footage were zoning compliant.

The existing lighting and mounting structure will remain the same. Both of these are 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. This variance will expire with the removal or relocation of the signs, or with any other change to the structure or sign faces.
- 2. Payment of all fees and escrow.
- 3. Pursuant to Section 108 - 33.5 F (1), the authorized activity must commence within one year from the date of issuance, otherwise this variance is revoked.

Adopted:

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