

ESOPUS ZONING BOARD OF APPEALS

Date: January 15, 2019
Town Hall, 284 Broadway
Port Ewen, New York 12466

PRESENT: Karl Wick, Chairman
Vic Barranca
James Banks
Frank Skerritt

EXCUSED: James Tomassetti

ALSO PRESENT: Town Board Liaison, Kathy Quick.

Chairman Karl Wick called the meeting to order with the Pledge of Allegiance to the Flag at 7:00 p.m. Roll call confirmed that a quorum was present.

Chairman Wick called for a Motion to approve the December 18, 2018 Minutes. Upon Motion of Vic Barranca, seconded by Member James Banks, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 1 member being absent, the Motion was carried by the following vote:

Member:	Vote
Karl Wick, Chairman	Aye
Vic Barranca	Aye
James Banks	Aye
Frank Skerritt	Aye
James Tomassetti	Excused

VOUCHERS:

Vouchers were distributed for review by the Board.

Chairperson Wick called for a Motion to approve the Vouchers for payment of services of ZBA Counsel Kyle Barnett, Esq. and Administrative Assistant. Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 1 member being absent, the Motion was carried by the following vote:

Member:	Vote
Karl Wick, Chairman	Aye
Vic Barranca	Aye
James Banks	Aye
Frank Skerritt	Aye

James Tomassetti	Excused
------------------	---------

For the benefit of those present, Chairman Wick explained the process for Zoning Board of Appeals application reviews, noting that there were three parts to this process - the Informational Meeting, the Public Hearing and the Decisional Meeting.

INFORMATIONAL

**01-02-19-01 Richard Hammond
1803 Route 213
Rifton, NY
SBL No. 71.1-1-14
Area Variance – Front Yard Placement**

Property owner Richard Hammond was present. Mr. Hammond had been in communication with Code Enforcement Officer Morello. A shed had been placed on his property in a location deemed to be only one functional for parking purposes. Mr. Hammond stated that the premature installation had been a mistake but was not intentional. Chairman Wick inquired as to whether relocating the shed to the backyard was feasible to which Mr. Hammond responded that the shed had been anchored down to a pad in what seemed the only location feasible for parking purposes.

The applicant was asked to provide photographs supporting location of shed, indicating that it was not detrimental to the neighborhood and that it fit with the character of the neighborhood. Mr. Hammond and Members of the ZBA agreed that they would visit the site without the need to contact the homeowner prior.

The Board indicated that a Public Hearing on the application was to be held on February 19, 2019.

PUBLIC HEARING:

**12-18-18-01 John Stinemire (as agent for Ryan Jabs)
208 Broadway
Port Ewen, NY
SBL No. 56.67-5-9
Area Variance – 10’ sideyard**

John Stinemire was present and provided an overview of the proposed project for the benefit of the public. The project involved the demolition of the existing building, which was in disrepair and construct a two-story office structure. The plan improved the southern property line setback which would become less non-conforming. Currently, there was a 3-foot set back from the property line.

Chairman Wick inquired as to whether the new building could be shifted sideways approximately 4’ so that all setbacks could be met and a variance wouldn’t be necessary to which the response was that it could be possible but would make the driveway very tight for

access and snow plowing. Chairman Wick inquired as to whether new structure could be narrowed by 4'. Mr. Stinemire responded that it could be but that it was not practical for an office; that the proposed building was currently narrowed.

The Chairman called for a motion to open the Public Hearing. Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 1 member being absent, the Motion was carried by the following vote:

Member:	Vote
Karl Wick, Chairman	Aye
Vic Barranca	Aye
James Banks	Aye
Frank Skerritt	Aye
James Tomassetti	Excused

Town Board liaison Kathy Quick inquired as to what type of office building was expected to which Mr. Stinemire responded that possibly a doctor or dentist's office but ideally, an attorney, accountant or a professional office of that nature.

Mr. William McKnight stated that he owned building next door and had taken great pains to ensure that façade on his property to match the existing character of the property and would like to maintain that character. Mr. Stinemire responded that the structure would not look like a modern office building but rather a residential building. Chairman Wick confirmed that the buildings in that location were mostly built during the late 1800's era with front gables. Although the ZBA does not rule on architectural style, it would be beneficial. Mr. Stinemire had plans available and presented for public to view.

Mr. Gary Goodman owned property to the back of the property subject to the Public Hearing and inquired as to lighting of the parking area of the property. Mr. Stinemire responded that there was required lighting for the parking but the intention was to keep lighting to a minimum and install motion detectors to activate lighting in the evening.

Chairman Wick noted for the public what the question before the ZBA was and that it related to the sideyard set back rather than questions of lighting and design.

Neighbor Pat Baluseck was concerned with the use being able to change in the future to which the response was that it would be required to go before the Planning Board for any proposed change in use.

Member Skerritt inquired as to the presence of oil tanks within the property. Mr. Stinemire responded that numerous propane tanks were found within the property and when the Bank repossessed the property, those tanks were removed.

Chairman Wick entertained a motion to close the Public Hearing. Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt and the affirmative vote of 4 members, the

negative vote of 0 members, the abstention of 0 members and 1 member being absent, the Motion was carried by the following vote:

Member:	Vote
Karl Wick, Chairman	Aye
Vic Barranca	Aye
James Banks	Aye
Frank Skerritt	Aye
James Tomassetti	Excused

It was agreed by Members present and the applicant that the matter would be placed before the ZBA in February for a decision.

Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant

Submitted on January 22, 2019

Approved: February 19, 2019