

ESOPUS ZONING BOARD OF APPEALS

Date: January 21, 2020
Town Hall, 284 Broadway
Port Ewen, New York 12466

PRESENT: Karl Wick, Chairman
Vic Barranca
James Tomassetti
Donn Avallone

EXCUSED: James Banks
Frank Skerritt

Also present was 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. 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:

12-06-19-01 David VanLoan
318 Broadway, Port Ewen
SBL No. 56.75-2-18 & 16
Area Variance - Article §123-24 A (2) (b)

David VanLoan was present to explain circumstances resulting in application to the ZBA. Mr. VanLoan's tenant currently has more cars on the site than what was originally approved. The request was to expand the parking area to create additional space for the vehicle display area for the used cars displayed on the site. The ZBA was investigating whether the NYS DOT may have rules for parking requirements that would be applicable. The Secretary was directed to schedule the Public Hearing on the application for the February 18, 2020 meeting.

12-05-19-01 Kale Williams
117 Poppletown Road
SBL No. 71.2-2-32.120
Area Variance - §123-21 C (5) (a)

Architect Paul Jankovitz was present on behalf of application Kale Williams. The Williams' proposed a home office that met the required setbacks but was to be located to the front of the house. Jim Tomassetti noted that this property backed up to property owned by Scenic Hudson and asked how close the proposed office was to the existing trails. Mr. Jankovitz agreed to provide photographs as well as an aerial view of the property. The matter was to be scheduled for a Public Hearing on February 18, 2020.

PUBLIC HEARINGS:

11-04-19-01 Todd Lasher
992 Old Post Road, New Paltz

SBL No. 71.3-4-5
Area Variance -§123-21 C (5)(a)

Mr. Lasher provided a recap of the area variance being requested. A poll of the ZBA indicated that all members were in favor of rendering a decision at the present meeting.

11-04-19-02 **Eric Ascenzi**
45 Carney Road, Ulster Park
SBL No. 63.3-7-22.130
Area Variance §123.21 C(5)(a)

Mr. Ascenzi provided photographs and distance of existing garage to nearest neighbors. A poll of the ZBA indicated that all members were in favor of rendering a decision at the present meeting.

Chairman Wick, hearing no public controversy raised, he entertained a Motion to close the Public Hearings. Upon Motion of Member Vic Barranca, seconded by Member Donn Avallone, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion to close the Public Hearing at 7:30 p.m. carried 4-0 by the following vote:

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

DECISIONAL:

09-16-19-01 **John and Jayme Berardi**
178 Tooley Road, Kingston
SBL No. 56.44-1-21
Area Variance - Article §123-21C (5)(a) [1]

The Berardis were requesting a height variance for a proposed pole barn. The allowed height pursuant to the Code was 15’ and the applicants were proposing a height of 21’ which would be a 6’ variance.

Chairman Wick entertained a motion granting the area variance from §123-21C(5)(a) (1) allowing for the structure to be 6’ more in height than the allowed 15’. Upon Motion of Chairman Wick, seconded by Member James Tomassetti, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion carried 4-0 by the following vote:

Member:		Vote
Karl Wick, Chairman	In favor – large lot with structure well off the road and not visible to neighbors	Aye
Vic Barranca	Fits character of the neighborhood	Aye
James Banks		Excused

Frank Skerritt		Excused
James Tomassetti	Large lot with structure built into hillside – won't be intrusive	Aye
Donn Avallone	Concurs with prior comments	Aye

10-01-19-01 **Raymond Williams, Jr.**
30 Rose Lane, Ulster Park
SBL No. 63.4-1-37
Area Variance –§123-21 C (5)(a)

The Williams were before the ZBA requesting that an existing pool be allowed to remain in front yard. The existing pool was located 12' closer to the road than the residence.

Chairman Wick entertained a motion granting the area variance from §123-21 C (5)(a) allowing for the pool to remain in the current location. Upon Motion of Member Donn Avallone, seconded by Chair Karl Wick, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion carried 4-0 by the following vote:

Member:		Vote
Karl Wick, Chairman	Noted that the applicants had inherited the property by way of an executor's deed and that the location of the pool was not a detriment to the neighborhood	Aye
Vic Barranca	Agreed with all comments offered	Aye
James Banks		Excused
Frank Skerritt		Excused
James Tomassetti	Location was fairly remote	Aye
Donn Avallone	The pool had existed in its present location for a long period of time – should pose no problem	Aye

11-04-19-01 **Todd Lasher**
992 Old Post Road, New Paltz
SBL No. 71.3-4-5
Area Variance –§123-21 C (5)(a)

Chairman Wick entertained a motion granting the area variance from the provisions of §123-21 C(5)(a) as shown on the revised sketch. Upon Motion of Member Vic Barranca, seconded by Chair Karl Wick, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion carried 4-0 by the following vote:

Member:		Vote
Karl Wick, Chairman	Proposal meets the necessary criteria and is the best solution	Aye
Vic Barranca	No issue, no choice for location	Aye
James Banks		Excused
Frank Skerritt		Excused
James Tomassetti	Lot was wood with adequate screening	Aye
Donn Avallone	Based upon geology of property, no easy	Aye

	choice exists	
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11-04-19-02 **Eric Ascenzi**
45 Carney Road, Ulster Park
SBL No. 63.3-7-22.130
Area Variance §123.21 C(5)(a)

Chairman Wick entertained a motion granting the area variance from the provisions of §123-21C(5)(a). Upon Motion of Member Vic Barranca, seconded by Member Jim Tomassetti, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion carried 4-0 by the following vote:

Member:		Vote
Karl Wick, Chairman	Keeps with character of the neighborhood	Aye
Vic Barranca	Keeps with character of the neighborhood	Aye
James Banks		Excused
Frank Skerritt		Excused
James Tomassetti	Photos and map provide excellent view showing that the property is set back well off the road and from neighbors	Aye
Donn Avallone	Geologically challenged site	Aye

Chairman Wick entertained a Motion to approve the Voucher for payment of Administrative Assistant. Upon Motion of Member Vic Barranca, seconded by Member Donn Avallone, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion was carried 4 – 0 by the following vote:

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

Chairman Wick entertained a Motion to approve the November 19, 2019 minutes. Upon Motion of Chairman Karl Wick, seconded by Member Vic Barranca, and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion was carried 4 – 0 by the following vote:

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

Four (4) individuals (Mike Mulligan, Mercedes Ross, Gloria VanVliet and Elizabeth TenDyke) were present and expressed interest in serving on the Zoning Board of Appeals which currently had one vacancy. The ZBA members wished to review their applications and resumes and make recommendation to the Town Board in February. It was discussed that the Town Board ultimately makes the decision but that the ZBA had the opportunity to speak with the applicants and make a recommendation to the Town Board.

Chairman Wick called for a Motion to adjourn the meeting. Upon Motion of Member Vic Barranca, seconded by Chairman Karl Wick, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant
Submitted on February 10, 2020
Approved: February 19, 2020