

ESOPUS ZONING BOARD OF APPEALS

Date: February 18, 2020
Town Hall, 284 Broadway
Port Ewen, New York 12466

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

Chairman Karl Wick called the meeting to order with the Pledge of Allegiance to the Flag at 7:02 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 but that the applications were being taken out of order to accommodate an applicant.

PUBLIC HEARING:

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

Paul Jankovitz, RA was present as the agent for the applicant.

Resident Steve Cerini inquired as to why the structure was so far from the residence since it was to serve as a home office. Architect Jankovitz responded that there was a steep slope and they wished to place the building on level ground. Scenic Hudson, Inc. owned land adjoining the Williams' property and had submitted an e-mail with questions relating to the proposal, requested to conduct a site visit and asked that the public hearing be held open. The ZBA and Architect addressed questions raised in the e-mail indicating that the ZBA could explain the difference between a home office workshop and business:

- there will be no traffic (for use by Ms. Williams);
- the structure met all setbacks and variance was simply for placement in front of the residence;
- activity was use for a home office;
- no noise or odors would not be generated from the office, and
- any future use would need to be allowed under the Code and if not allowed, would require Planning Board review.

Chairman Wick confirmed with Agent that the structure would be purely for private use. Architect Jankovitz was requested to provide renderings (photographs) which would help support request for variance if it could be shown that the proposal was in alignment with character of the neighborhood.

Chairman Wick called for a Motion to hold the Public Hearing open. Upon Motion of Member Donn Avallone, seconded by Member Frank Skerritt, and the affirmative vote of 6 members, the negative vote

of 0 members, the abstention of 0 members and 0 members being absent, the Motion to hold the Public Hearing open carried 6-0 by the following vote:

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

Chairman Wick called for a Motion to approve the voucher for Administrative Assistant hours worked. Upon Motion Frank Skerritt, seconded by Member Vic Barranca and the affirmative vote of all 6 Members, the Motion passed 6-0.

PUBLIC HEARING:

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 and his tenant were and the Public Hearing commenced at 7:17 p.m. Mr. VanLoan’s tenant currently had more cars on the site than what was originally approved. Public resident Steve Serini asked if the parking was considered a “parking lot” or a “display lot.” Member Avallone remarked that if the size of the parking lot were reduced to allow for more cars, could that carry on to any future business or would the parking requirement revert back if there was to be another use of the property. Chairman Wick requested that Applicant to provide information to support that the proposal is a “display lot” rather than serving as a “parking lot.”

Chairman Wick called for a Motion to close the Public Hearing. Upon Motion of Chairman Karl Wick, seconded by Member James Tomassetti, and the affirmative vote of 6 members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the Motion carried by the following vote and the Public Hearing was closed at 7:33 p.m.

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

Chairman Wick called for a Motion to approved the January 21, 2020 Minutes. Upon Motion Vic Barranca, seconded by Member Donn Avallone and the affirmative vote of all 6 Members, the Motion passed 6-0.

INFORMATIONAL:

09-16-19-01 **Michael Soura**

190 Ulster Avenue, Ulster Park
SBL No. 63.2-3-2
Area Variances – Article §123-13 J(1), 123 & 123 J(2)

Applicant Michael Soura was present and addressed the Members. He stated that he had been operating in that area for 30 years but admitted, when asked by a Member Jim Tomasetti, that initially he had been operating on property to the North. Mr. Soura debated that the proposed use was allowed pursuant to Zoning with Planning Board approval. Chairman Wick reviewed what the four (4) variances submitted by the Code Enforcement Officer were. Mr. Soura had obtained possession of property, previously owned by Central Hudson, through adverse possession in December 2018. Member Frank Skerritt noted that although Mr. Soura may have been occupying the land for 30 years, he had only been operating on it under his ownership since December 2018. The ZBA inquired as to whether additional property could be purchased to add to the existing parcel. Mr. Soura stated there were no possibilities and that he was constrained to the existing site.

Chairman Wick stated that the Public Hearing was to be held March 17, 2020 and Secretary requested that the \$200.00 fee be submitted prior to the next meeting date.

Membership:

The Members of the ZBA voted by secret ballot (Member James Banks abstaining), ranking the four applicants from 1 – 4 as to who they supported for the open position on the ZBA. The tally resulted in a tie and the Secretary was asked to provide a letter to the Town Board with the names of the individuals.

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 8:07 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant
Submitted on March 5, 2020
Approved: March 17, 2020