

TOWN OF ESOPUS  
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***Zoning Board of Appeals***

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TOWN OF ESOPUS ZONING BOARD OF APPEALS  
Minutes of the March 20, 2012 Meeting

**CALL TO ORDER:** Chairman, Don Cole, called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Vic Barranca, Sean Fitzgerald, Joe Guido, Kathy Kiernan, Karl Wick, Linda Smythe, and Chairman, Don Cole.

**MINUTES**

Vic made a motion to approve the February minutes as written. Seconded by Don. All in favor.

**VOUCHERS**

Karl made a motion to approve the voucher for secretarial work, revised to 12.75 hours. Seconded by Vic. All in favor.

**INFORMATIONAL**

03-20-12-01

Peter Speliopolous  
153 Carney Road

63.3-1-17  
area variance

Al Wolcott, a building contractor out of Rhinebeck, was present representing the applicant, Peter Speliopolous. Applicant owns a home on Carney Road just before the bridge into Rifton. The property is restricted by a finger of water which flows under the road from the nearby body of water. This water wraps around applicant's property so it is fairly restrictive. The house is about 40 feet above the water level. It is a very old stone house. Mr. Wolcott showed a photo of the house and the proposed structure and explained that it is made to look like a barn to fit in with the character of the house. He stated that applicant is proposing to add this barn-like structure for storage and for the work that he does.

Mr. Wolcott showed the Board different pictures of the property with the proposed structure and explained which view they were looking at, e.g. from the road. He stated that there is to be a one-car garage with a sliding barn-like door on the road side and large windows on the side away from the road.

Chairman Cole asked how many square feet the proposed building will be. Mr. Wolcott stated that it is 1890 sq. feet living space plus the 368 sq. foot garage – about 2200 sq. feet total. There will be a usable basement that applicant will use for art work. The basement is included in the total square footage.

Linda stated that the structure looks elevated from the level of the stone house and Mr. Wolcott agreed that it was a little bit higher. She asked if there was water behind the house. Mr. Wolcott pointed out the water and the wetlands surrounding the residence. He explained that the applicant applied to the DEC because the building imposes on the 100 foot wetland buffer zone. They were approved and received a permit for a smaller structure several years ago. The DEC application was revised for the current proposed structure.

Chairman Cole stated that the proposed location for this structure is about the only place on the property that it can go because of the wetlands. Mr. Wolcott agreed.

Sean stated that the plans called for the plumbing for the new building to be tied into the existing leach field which is on the opposite side of the existing house. Mr. Wolcott agreed and explained that it is an existing leach field which was tested by an engineer who submitted data to the Board of Health. Engineer's report stated that the leach field was satisfactory. Sean stated that the existing house is a two-bedroom and the report states that the septic tank and leach field are suitable to accommodate the "equivalent of a three-bedroom house." He asked, "How does the proposed building compare to, what would be in essence, one additional bedroom?" Mr. Wolcott stated that was what the engineers said. Sean asked Mr. Wolcott if he would be doing the construction on the leach field tie-in or another contractor. Mr. Wolcott answered that he would be the general contractor and would be hiring a plumbing contractor to do this work.

Chairman Cole stated that the work will be inspected by the Building Inspector so everything will be done correctly. Mr. Wolcott said that they won't know until they start digging if the plan will work. The idea is to try to use the existing system to avoid having to dig another around the wetlands.

Joe asked to see floor plans at next month's public hearing.

Mr. Wolcott stated that he wasn't sure if they were going to tie directly into the 1000 gallon existing tank or go through the existing house. They try to avoid having to go from one building into another. He will find out for the next meeting how the plumbing in the proposed building will be connected to the existing leach field. He added that there was enough pitch in that location.

Sean noted that the height of the of the structure was 25 feet, 11 ¼ inches from ground to peak. Mr. Wolcott explained that there are different grades and different roof heights depending on how you are looking at the building.

Karl asked what the highest point was and Mr. Wolcott answered 32 feet on the east side. He stated that different building inspectors can interpret heights in different ways.

Vic asked if the structure was going to be a studio or living quarters and a studio. Mr. Wolcott replied that the applicant does not plan on sleeping there because they have the house. He explained that applicant and his partner are involved with Broadway production, specifically set design and costumes. They have a lot of costumes that they need to store and protect with humidity control systems.

Kathy asked to see the floor plans. Mr. Wolcott explained the layout of the proposed structure. Kathy asked if this was bigger than the existing building and Mr. Wolcott replied no. There is a storage room above the garage that is not heated which is not included in the total square footage.

Karl asked to see the site plan. He asked Mr. Wolcott to find out the square footage of the existing house for the next meeting. Discussion followed about the view from Carney Road and Rte. 213 and other houses in the area. Mr. Wolcott stated that the architect's idea was to make the proposed building non-descript so that it doesn't stand out.

Karl stated that it's incumbent upon the Board to minimize the size of variances so he asked if the owner could make do with a smaller structure. Can they serve their purpose with a smaller structure? He noted that this building is a beautiful design, but quite substantial. Mr. Wolcott will ask applicant.

Karl asked if there were other properties in the area with outbuildings in front or forward of the house. Mr. Wolcott replied that he hasn't looked into this.

Karl asked why the full bath is in the basement if it won't be living quarters. Why would they need a full bathroom at all – why not two half baths? Mr. Wolcott will ask applicant.

On a personal note, Karl asked if the owner knows what house he is living in. It is a very historic site - the birthplace of Sojourner Truth. Karl doesn't believe there are federal or state restrictions on it, but the applicant may want to look into that. Mr. Wolcott stated that they are aware of the historic nature of the house and that is why they wanted the proposed structure to look like a barn.

Mr. Wolcott stated that he would find out square footage and footprint of the existing building for next meeting and Joe reminded him to also bring the square footage of the attic if that was to be used for storage.

Joe asked for applicant to describe in writing how he is defining “art studio” and what will actually be done there.

Karl asked Chairman Cole if applicant had applied for a height variance or just a variance for placement. Chairman Cole replied placement only. Karl stated that the application may need to be modified because height is limited to 15 feet for an accessory structure. Chairman Cole stated that the terrain brings the structure up higher. Karl said the Board should consider height and make that part of the variance, if granted.

Mr. Wolcott noted that from the owner’s perspective, this proposed building is not in front of the house. It is considered “off to the side.” Joe noted that that would be a good point to mention at the public hearing. He said if there were pictures showing this perspective, that would support the variance request.

Mr. Wolcott asked if it was advisable for him to bring consultants to the public hearing. He thinks he can answer most questions himself. Joe replied he should find out how the plumbing will be done.

Chairman Cole noted that the public hearing will be on April 17.

Vic made a motion to close the meeting. Seconded by Sean. All in favor.

Meeting adjourned at 7:29 p.m.

Respectfully submitted,

Joan Boris, Secretary  
Zoning Board of Appeals