

**ZONING BOARD OF APPEALS MEETING
MARCH 21, 2017**

PRESENT: Kathy Kiernan, Chairperson
Joseph Guido
Frank Skerrit
Vic Barranca
Melanie Morino
Glen Kubista

ABSENT: Karl Wick

Chairperson Kiernan called the meeting of the Town of Esopus Zoning Board of Appeals to order at 7:03 p.m. beginning with the Pledge of Allegiance to the Flag.

Chairperson Kiernan asked the Board if everyone read the minutes of the July 19, 2016 meeting. It was agreed that since the meeting was so long ago a copy of the minutes will be sent to the Board for review and approval at the next meeting.

VOUCHERS:

There were no vouchers to be approved.

Chairperson Kiernan explained that there are three parts to the process. There is the informational portion, public hearing and decisional.

INFORMATIONAL:

**03-21-17-01 Randy Wenzel
181 Bowne Street
Port Ewen, NY 12466
SBL: 56.59-5-26
Area Variance**

Jodi and Randy Wenzel were present. They explained that when they purchased the property there was a pre-existing fence. After 12 years of residing at this residence the fence needed replacing. They replaced the 6 ft. existing fence with an 8ft. fence along the entire east side, south east corner and a portion of the north-east side. The 8 ft. fence was chosen for these areas because they have a pool and the two properties bordering them are rentals. One rental is not a problem but the second rental has children jumping over the fence on a fairly regular basis to retrieve balls and dive into the pool. They asked them not to but unfortunately they did not comply. The applicants were concerned that their pool would be damaged and afraid someone might fall into the pool. They went up 2 ft. in this area for that reason. On the north-east side,

that house has an in-ground pool and that property is a little higher so they installed 8 ft. fence in that area. The neighbor makes good use of the pool having many visitors. There are bright lights and excessive loud music until as late as 4:00 a.m. The noise and lights would keep them up and they could not enjoy the use of their property. The 8 ft fence dulls the lights and noise enough so that they can enjoy the use of their property.

Kathy asked how many feet in from the back of the property did they come with the 8 ft. fence. Randy stated that it is approximately 6 inches to 1 ft. off the line on their side. Kathy asked from the back corner of their property how far down the line on that side did they go with 8 ft. Randy stated that the 8 ft. sections are approximately 16 ft. down the line. On the other side, there is only one 8 ft. section.

Kathy asked when they replaced the fence. They replaced the fence in September and recently they were told that they needed to get a permit for the fence.

Joe asked if there was a driveway for the house and where it was located. Randy said that if you are facing the house the driveway is on the left side. Glen about where they park in front of the pool. Applicants said that they park there sometimes and at one time there was an existing driveway there that they stoned. The property is a double lot. Glen asked about the part that comes off the back fence and if it is the part by the garage. Randy stated that coming forward on that side there is one piece of 8 ft. by 8 ft. fence and then it drops to one section of 7 ft. and the rest is 6 ft.

Kathy asked how close to the road is the fence? Randy stated that they put it where the previous fence was. It is between 5-10 feet.

Joe asked if they needed to know ahead of time if any member of the Board visited the site. Applicant stated that they did not require advanced notice. Joe questioned if the better side of the fence is facing their house or the neighbors. Randy stated that the finished side is facing their house.

Applicant was informed that they will have a Public Hearing on Tuesday, April 18th, at 7:00 p.m. and all of the neighbors will be notified.

TRAINING:

All Board members were given a copy of training that is being offered by the Ulster County Planning Board. If you are interested in attending, you will need to pre-register.

New Board Member Glen Kubista was informed that he is required to obtain 4 hours of training per year and will need to provide the secretary with certificates listing the training and the number of hours received.

VIC MADE A MOTION TO ADJOURN SECONDED BY FRANK. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 7:20 PM.

NEXT ZBA MEETING: APRIL 18, 2017

DEADLINE DATE: APRIL 4, 2017

Respectfully submitted by:

April Oneto
ZBA Secretary