

TOWN OF ESOPUS
P.O. Box 700
Port Ewen, NY 12466
Zoning Board of Appeals

TOWN OF ESOPUS ZONING BOARD OF APPEALS
Minutes of the June 19, 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, and Chairman,
Don Cole.

Excused: Linda Smythe

MINUTES

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

VOUCHERS

Joe made a motion to approve the voucher for secretarial work. Seconded by Kathy. All in favor.

PUBLIC HEARING

05-15-12-01

Richard & Teresa Abramshe
401 Swartekill Road

71.4-2-32
area variance

Chairman Cole opened the public hearing by asking the secretary to read into the minutes a letter the ZBA received from a neighbor of applicants, Frank Wiest. The secretary read the letter and told the Board that she had spoken with Mr. Wiest by phone on June 18 at which time she explained the variance request to Mr. Wiest. He does not object to the carport as long as the setback requirements are met.

Richard & Teresa Abramshe were present. Applicants are requesting a variance to build an accessory building in the front yard which will adhere to all other building codes enforced in the Town of Esopus. The building is a carport. Mr. Abramshe explained that they need to put the carport in the front yard because their property is very hilly and most of their buildable property is in their front yard. The back yard is a very steep hill. The front yard is the only place they can reasonably locate the carport without major excavation.

Joe asked if there was a driveway going up to the carport location. Applicant answered that there is a driveway leading into the property but not to the carport location. They plan on extending the driveway to the new building.

Chairman Cole stated that the Ulster County Planning Board did not have input on this project. Chairman Cole closed the public hearing at 7:03.

Karl made a **motion to grant a variance** from Town of Esopus Code section 123.21 C(5) to allow the location of a carport forward of the primary structure contingent upon the project meeting all the required setbacks for a principle residence.

Motion was **seconded** by Vic.

VOTE:

Joe – In favor because of the topography and it will not be noticeable from the road.

Kathy – I vote in favor. I'm familiar with the property, I know that this is probably the only place that it can go. I'm sure that it will be nice looking and not a detriment to the neighborhood.

Don – I vote to approve this because of the location and the inconvenience it would cause to put it any where else.

Vic – In favor. I don't see anything jeopardizing the character of the neighborhood, you can hardly see it from the road. There is no other choice.

Sean – I vote in favor based on the physical grounds, the topography of the property, the limited choices, and the lone opposition of the neighbor which was withdrawn when he found out where the structure was going to sit on the property. I'm voting in favor.

Karl – I vote in favor because of topographical conditions and because there is a significant number of neighboring properties with outbuildings forward of the house.

Chairman Cole informed applicants that their variance request had been approved. Secretary reminded applicants to come to Building Dept. to complete the application process for their building permit.

The next meeting of the ZBA is July 17, 2012.

After adjournment of this meeting, there will be a short presentation by Tim Keefe, the Building Inspector, next door in the Building Dept. office. Tim will clarify Town code on accessory apartments, setback and yard requirements, building height, home occupations and other issues.

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

Chairman Cole adjourned the meeting at 7:06 pm

Respectfully submitted,

Joan Boris, Secretary
Zoning Board of Appeals