

**ZONING BOARD OF APPEALS MEETING
JUNE 21, 2016**

PRESENT: Kathy Kiernan, Chairperson
Joseph Guido
Frank Skerritt
Karl Wick
Vic Barranca
Melanie Marino

ALSO PRESENT: Dennis Doyle, Ulster County Planning Board Director

Chairperson Kiernan called the meeting of the Town of Esopus Zoning Board of Appeals to order at 7:00 p.m. beginning with the Pledge of Allegiance to the Flag.

Chairperson Kiernan asked the Board if everyone read the minutes of the May 17, 2016 and if there were any changes. Frank and Melanie made corrections to the spelling of their last name.

KARL MADE A MOTION TO APPROVE THE MAY 17, 2016 MEETING MINUTES AS CORRECTED, SECONDED BY VIC. ALL MEMBERS WERE IN FAVOR.

VOUCHERS:

Vouchers passed around and reviewed by all board members.

JOE MADE A MOTION TO PAY THE VOUCHERS AS SUBMITTED, SECONDED BY KARL. ALL MEMBERS WERE IN FAVOR.

Chairperson Kiernan explained that there are three parts to the process. There is the informational portion, public hearing and decisional. Tonight we have one new case for informational.

INFORMATIONAL:

**05-17-16-01 Quetzal Saunders
1352 Old Post Rd., Ulster Park
SBL: 71.30-4-26
Area Variance – 123-21.C(7)**

Quetzal Saunders was present for this application. Quetzal explained that he is requesting a variance to approve a 7 foot high fence within 5 feet of a property line. The fence was built in 2015 without a building permit. He explained that he has a buyer for the property and the

closing cannot take place until this is cleared up. He questioned if the process could be expedited. Chairperson Kiernan explained to him that ZBA is required to have a Public Hearing and this cannot be waived.

Quetzal was questioned about the distance of the fence from the road. He said it is about 40-50 feet from the road and it was put up for privacy. Joe said that he has seen the fence and it is quite a distance from the road.

Quetzal stated that he has to think about how he wants to proceed. The property is ready to be closed on and he does not know if he can put it off for another month. It was explained to him that he has a couple of options. He can follow the process and the Public Hearing can be scheduled for next month with possible decision at that time or he can remove the fence or a couple of boards to bring it into compliance.

Dennis Doyle, Ulster County Planning Board Director, offered a possible solution. He told Quetzal that he could put money in an Escrow Account and proceed with the closing. If the variance is not granted, the money in the Escrow Account will go to the new owner to bring the fence into compliance or remove the fence. If the variance is granted, the money in the account will be returned to him.

Quetzal said that he will need to speak with his attorney and think about how he wants to proceed. He was informed that they had to let the ZBA Clerk know his decision no later than 7/5/16 so that the Public Hearing can be announced in the paper and letters sent to the surrounding property owners.

Quetzal was told that if he plans to proceed with the process he needs to provide a sketch plan showing the fence and the distance from the road and property lines. He also needs to provide us with something in writing stating why the fence was put up. He needs to check on the post type.

MISCELLANEOUS:

04-19-16-01 – Still River LLC (Seth Tapper)

Applicant's attorney sent a request that this application be removed from this month's agenda and put on next month unless they decide to withdraw the application.

TRAINING:

Following this meeting Dennis Doyle, Ulster County Planning Board Director, will provide a 1 ½-2 hour training session specific to ZBA.

VIC MADE A MOTION TO ADJOURN THE MEETING SECONDED BY JOE. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 7:17 PM.

NEXT ZBA MEETING: JULY 19, 2016

SUBMISSION DEADLINE: JULY 5, 2016

Respectfully submitted by:

April Oneto
Zoning Board of Appeals Clerk