

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 July 15, 2014 Meeting

CALL TO ORDER: Chair, Kathy Kiernan, called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Vic Barranca, Joe Guido, Kathy Kiernan, Melanie Marino, Frank Skerritt, Dick Wenzel & Karl Wick

Also present: Diane McCord, Town Board member & Gloria Meschi

MINUTES

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

VOUCHERS

Karl made a motion to approve the vouchers for secretarial work and the Daily Freeman. Seconded by Frank. All in favor.

Kathy explained the three-part process of the Zoning Board of Appeals.

PUBLIC HEARING

06-17-14-01

Robyn Lukaszewski
103 East Stout Avenue

area variance
56.68-1-09

Applicant was present. No members of the public were present. Ms. Lukaszewski explained that she would like to put a deck on the front of her house because currently there is no way from the driveway into the house except to walk into the road where there are steps leading to the front door. She stated that there is no platform at the front door, just the three steps. The deck would provide a platform. She wants a deck with more space than just a small platform. The front door is the main access to the house, back door leads directly into a bedroom. Applicant brought photos and diagrams of her home and the projected deck with a few variations of the location of stairs.

Kathy asked if (the depth) of the deck was different in the diagrams. Applicant replied that diagrams show 24 feet as opposed to the original plan of 26.5 feet deep.

Kathy asked if the deck front stairs would come down to meet the concrete steps that are currently on the property. Applicant replied that was correct. Kathy asked if applicant had thought about making the deck smaller, not so far out (into the front yard). She explained that variances are supposed to be granted for the minimum amount necessary to give applicant what it is she needs. Kathy stated that Frank had laid out the footprint of the deck on the floor so the Board could visualize the size. She said that the decreased depth to 24 feet is not significant.

Applicant asked Board what would be a reasonable depth that they would allow.

Karl stated that, in his opinion, 12 feet would meet applicant's goals of safe access to the house, but he would consider up to 16 feet.

Joe stated that he was also thinking 12 feet would be appropriate.

Karl noted that the 12 feet would be measured from the main part of the house, not the "bump out" entrance.

Kathy asked what the swing of a door is. Joe noted that it didn't matter, because the steps will be replaced by the deck as a platform for the front entrance. Kathy said she would consider 6 feet in front of the door, added to the 8 feet on both sides of the entrance - making a 14 foot total depth.

Joe stated that he would never approve the original plan for the deck, he suggested 12 feet, but he is willing to consider 14 feet. He noted that applicant's house is already as far out into the front yard as her neighbors. The safety issue is addressed with (14 feet).

Frank asked the distance from the driveway to the deck. Applicant replied 14 feet. If the deck is built, it will be 8 feet.

Applicant asked if she should submit new plans. Consensus was that they are not necessary.

Secretary asked if the deck width is still 33 feet. Board members verified 14x33.

Kathy asked if Board members wanted to vote tonight. Board was agreeable to voting. Joe asked applicant if she wanted more time to consider the Board's recommendation of a 14x33 deck. Ms. Lukaszewski said she wanted to proceed.

Joe made a motion to close the public hearing. Seconded by Karl. All in favor.

DECISIONAL

06-17-14-01

Robyn Lukaszewski
103 East Stout Avenue

area variance
56.68-1-09

Motion

Karl made a motion to grant a variance from Article V Section 123-21C(2)(a) to allow a 24 foot variance to the front yard required 55 foot setback in order to construct a deck with a depth of 14 feet, measured from the main house to the edge of the deck, with the stipulation that the deck remain un-roofed and the railings remain open and to code.

Motion seconded by Vic.

VOTE:

Dick – In favor. I’m happy with the reduction that we did. My factor after looking at everything was safety issues in the beginning, but we took care of that, pulled it back away from the street. I don’t see any other issues, other than reducing it which I think is the right thing to do.

Joe - In favor. I still think it’s a little bit large, but she compromised for us and I think it will address the issues that were presented.

Kathy – In favor. I vote in favor for the same reasons.

Melanie – In favor, now that the issues of opening the door and backing down the steps are dealt with.

Vic – In favor for all the reasons mentioned. I don’t think its going to jeopardize the character of the neighborhood.

Frank – In favor as to the new design of the 33x14 deck. It does meet the requirements for safety, it moves it back from the street far enough.

Karl – In favor. I think it is somewhat substantial, but the benefit to the applicant is great and the detriment to the neighborhood is minimal.

Motion approved.

Secretary reminded Ms. Lukaszewski to come to the building department to complete the application process for a building permit for the deck.

OTHER BUSINESS

Joe may miss next month’s meeting because he’ll be on vacation. Vic is having shoulder surgery and may miss the August meeting.

Joe asked about the search for secretary’s replacement. Gloria Meschi will be attending the next few meetings and will probably be the new secretary by January 2015. Gloria has been the secretary of the Water Board for about eleven years. Karl noted that secretary should prepare a list of duties for Gloria.

Joe asked Diane if Board members will be reimbursed for the tuition of the (Association of Towns) seminar at the end of the month. Diane replied that they would be. Board members would have to pay up front and then submit a voucher for reimbursement.

Vic made a motion to adjourn the meeting. Seconded by Joe. All in favor.

Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Joan Boris, Secretary
Zoning Board of Appeals