

**ZONING BOARD OF APPEALS MEETING
JULY 18, 2017**

PRESENT: Kathy Kiernan, Chairperson
Joseph Guido
Karl Wick
Vic Barranca
Glen Kubista
James Banks

EXCUSED: Frank Skerritt

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 June 20, 2017 meeting and if there were any changes. Karl pointed out an error with the typing of the hours for the secretary. No other changes.

JOE MADE A MOTION TO APPROVE THE JUNE 20, 2017 MEETING MINTUES AS AMENDED, SECONDED BY KARL. ALL MEMBERS WERE IN FAVOR.

VOUCHERS:

April Oneto (secretarial services).....18 1/2 hours

GLEN MADE A MOTION TO PAY THE VOUCHER AS SUBMITTED, SECONDED BY VIC. 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.

INFORMATIONAL: There were no new cases before the Board.

PUBLIC HEARING:

**06-20-17-01 Gillian Pinchin/Bernard Yancovich (waiting for survey)
5 Saddlebred Lane
Esopus, NY 12561
SBL: 70.04-1-13
Area Variance**

Jose Gomez, Keller, Eaton Architects, was present to represent the applicants. He presented a letter to the Board from the applicants giving him permission to represent them.

Jose presented the floor plan for the existing house on the property that they are requesting approval for an accessory apartment. He presented a set of plans for the barn that will be converted into a dwelling unit. Copy of the plans left with the Board for the file.

Joe questioned if the conversion of the barn into a residence is just for family use. He was curious as to why the plans say girls and boys bathrooms. Jose said that they have a large family and they do a lot of entertaining. Kathy questioned the bedrooms and wondered if they were bunk rooms. Jose said that they are bedrooms but set up for girls and boys. Karl questioned if the plans were for three floors and Jose said that there are three floors. Karl questioned the height of the structure. Jose said from the first floor to the peak it is approximately 30 feet.

Joe questioned the stone house on the New Paltz side. He said that the applicant said that no one is living in it but there is an electric meter on the house that is running. Jose said he didn't know anything about this house.

Kathy noted that there is nobody from the public who was present. Karl clarified that the only variance the Board is considering is a variance for the existing house from 800 sq. ft. to 870 sq. ft. The existing dwelling is going to be an accessory apartment. Kathy confirmed that this Board is only dealing with the increase in the square footage for the accessory apartment. Kathy asked the Board if they would be willing to vote on this application this month since we will have at least one Board member who will be absent next month and there was no opposition from the public. Board was agreeable.

VIC MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR PINCHIN/YANCOVICH, CASE #06-20-17-01, SECONDED BY KARL. ALL MEMBERS WERE IN FAVOR.

PUBLIC HEARING (CONTINUATION)

**04-18-17-01 Mark Repasky
11 Pendergast Pt. Rd.
Rifton, NY 12471
SBL: 63.17-2-9
Area Variance**

Mark stated that he has a survey with the distance from the beams to the property line. He also brought pictures to show the existing conditions.

Mark was reminded that the ZBA secretary spoke with both him and his attorney who stated that they wanted a continuation until next month. Mark agreed that he would rather have his attorney present. Mark requested a continuation.

JOE MADE A MOTION TO GRANT A CONTINUATION FOR REPASKY PUBLIC HEARING, CASE #04-18-17-01, AREA VARIANCE, AT THE REQUEST OF THE APPLICANT, SECONDED BY VIC. ALL MEMBERS WERE IN FAVOR.

DECISIONAL:

**06-20-17-02 Gillian Pinchin/Bernard Yancovich (waiting for survey)
5 Saddlebred Lane
Esopus, NY 12561
SBL: 70.04-1-13
Area Variance**

KARL MADE A MOTION TO GRANT A VARIANCE TO SECTION 123-11 G(3) OF THE TOWN OF ESOPUS CODE TO ALLOW THIS ACCESSORY APARTMENT TO BE 870 SQUARE FEET WHICH IS 70 SQUARE FEET LARGER THAN OUR CODE ALLOWS. THIS WOULD BE AN INCREASE OF UNDER 9% AND CONTINGENT UPON CONVERSION OF A BARN INTO THE PRIMARY DWELLING WHICH WILL BE LARGER THAN THE ACCESSORY DWELLING, SECONDED BY VIC.

Vic – He is in favor. He does not see any reason why we should not grant this variance. He does not see anything that will jeopardize the character of the neighborhood.

Kathy – She is in favor. She does not think that it is going to affect the neighborhood at all and nobody from the public has expressed any concerns and the property is large enough.

Joe – He is in favor because of the size of the property. Ulster County Planning Board has been notified as well as the Town of New Paltz.

Glen - He is in favor. Given the location he does not see an adverse impact on the quality of life. He feels that the Board has done its due diligence.

James – He is in favor. He does not feel that it will affect the quality of life of anybody around them.

Karl – He is in favor. He does not feel that this is detrimental to the neighborhood. He feels that the benefit verses detriment test has very much been met. He does not feel that it is a self imposed hardship because families flux and grow. He feels there is no downside. He feels the proximity to the town line was interesting.

Applicant was told that they can move forward and reminded that they have to submit plans to the Building Department before they proceed.

OTHER BUSINESS:

Chairperson Kiernan informed the Board that it is budget time again. They reviewed the budget lines and decided to do the following:

Legal – An increase in this budget line will be requested to \$8,000 for possible legal matters that may come before the Board this coming year.

Equipment - \$500.00

Daily Freeman - \$500.00

Dues - \$100.00

Chairperson Kiernan will complete the forms and submit them to the Supervisor's office.

It was mentioned that the Zoning Board has the ability in our Town Code to request that applicants submit a check to open an Escrow Account in case substantial legal fees may be incurred by the Board regarding the applicant's variance(s) before the Board.

VIC MADE A MOTION TO ADJOURN, SECONDED BY GLEN. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 7:30 PM.

NEXT ZBA MEETING: AUGUST 15, 2017

CUT OFF DATE; AUGUST 1, 2017

Respectfully submitted by:

April Oneto
Zoning Board of Appeals Clerk