

**ZONING BOARD OF APPEALS MEETING
JULY 17, 2018**

- PRESENT:** Kathy Kiernan, Chairperson
Karl Wick
Glen Kubista
Vic Barranca
- EXCUSED:** Joseph Guido
James Banks
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 May 15, 2018 meeting and if there were any changes.

VIC MADE A MOTION TO APPROVE THE MAY 15, 2018 MEETING MINUTES SECONDED BY GLEN. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:

- Karlyes
Glenyes
Vicyes
Kathyyes

Karl was not at the June meeting so he would not be able to vote them. We would not have a quorum so the approval of the June 19, 2018 ZBA Meeting will have to be held until the next meeting.

VOUCHERS:

April Oneto (secretarial services)..... 4 1/2 hours

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

INFORMATIONAL (continued)

**05-15-18-01 Jess Hicks
15 Broadway, Port Ewen
SBL: 56.044-1-1.1
Change in Non-Conforming Use (Section 123-30B(3))**

GLEN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR JESS HICKS VARIANCE, CASE #05-15-18-01, FOR TUESDAY, AUGUST 21, 2018 MEETING, SECONDED BY VIC. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:

Karl.....yes
Glen.....yes
Vic.....yes
Kathy.....yes

INFORMATIONAL MEETING:

**07-17-18-01 Pangea East
1170 Route 213
Rifton, NY
SBL: 56.018-2-25
Area Variance**

Scott Dutton, Architect, was present for this application.

Scott stated that he is representing Pangea East which is a non-for-profit 501C Group who purchased this property almost a decade ago. Mr. Wick has been to the property in his capacity of a Fire Officer. This is a zoned single family residential and Scott has been representing them for about 1 ½ years working through some building and planning code issues. They are pretty far along with the Planning Board. They are here tonight because the existing residence is closer than 100 feet to the property line. While it is pre-existing, non-conforming as a single family residence the site plan review property for how Pangea East wishes to use the property an area variance is required. They are not proposing any new structures within the setback but it is more of an acknowledgement that the existing residence was constructed prior to the adoption of zoning within the 100 foot setback.

Kathy asked what the closest it is to the line. Scott stated that it is 57 feet. Scott stated that the structure is set far back from the road. It is only visible in deep winter when all of the vegetation is off of the trees. There are no adjacent properties that can see the house. Kathy clarified for her own information the location of the house.

Karl asked when the house was constructed. Scott stated he thinks that it was in the late 70's early 80's. Karl stated that the code went into effect in 1971 so it could be pre-code. Scott will get back to the Board on the date.

Karl stated that there is an issue with the room to place and turn around the fire apparatus. The other issue is the carrying capacity of the culvert/bridge and this was not brought up to the Planning Board. Scott stated that he submitted a letter prepared by M.A. Day Engineering, structural engineer out of Wappingers Falls who reviewed the bridge, did a visual inspection and made notes about its capacity. They feel that it is of sufficient strength and in his opinion the bridge/culvert crossing is capable of handling a 40 ton vehicle. Scot was asked to submit a copy

for the Planning Board and the Zoning Board and Karl requested that he forward a copy of it to Michael York, St. Remy Fire Chief. Karl stated that he sees that the turnaround is only about 8 feet wide and that is insufficient. Scott stated that they have a better, more detailed plan that was prepared by David Rider and should be in the Planning Board files. He can certainly provide one to this Board. Karl stated that if there was a fire there they would have maybe up to four pieces of fire apparatus there. Scott stated that if they need to modify that plan we need to let him know. Karl mentioned that the application was incomplete. Scott stated that he received the signed application but he left it at his office. He will deliver it tomorrow for our records. There is the original affidavit from the applicant signed and notarized and representation letter.

Karl mentioned the EAF and the fact that #12 was checked yes. Scott stated that he did not check yes. The DEC automatically checks yes when you use the EAF map tool. He stated that he has been advised it is because of the Indiana Bat and as a default the DEC checks yes. Scott said that he will follow-up on #12.

VIC MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR PANGEA EAST, CASE #07-17-18-01, AREA VARIANCE, FOR TUESDAY, AUGUST 21, 2018, SECONDED BY GLEN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:

Karl.....yes (pending #12 response on the EIS)
Vic.....yes
Glen.....yes
Kathy.....yes

**05-15-18-01 Jess Hicks
 15 Broadway, Sleightsburg
 SBL: 56.044-1-1.1**

JESS HICKS (Kosco – Port Ewen Corp.) – Applicant was not present.

GLEN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR JESS HICKS (PORT EWEN CORP (KOSCO), CASE #05-15-18-01, CHANGE IN NON-CONFIRMING USE (SECTION 123-30 B(3), FOR TUESDAY, AUGUST 21, 2018, SECONDED BY VIC. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:

Karl.....yes
Vic.....yes
Glen.....yes
Kathy.....yes

KARL MADE A MOTION TO ADJOURN, SECONDED BY GLEN. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 7:40 PM.

NEXT MEETING: AUGUST 21, 2018

DEADLINE DATE: AUGUST 14, 2018

Respectfully submitted:

April Oneto
Secretary