

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 October 15, 2013 meeting

CALL TO ORDER: Acting Chairman, Joe Guido, called the meeting to order at 7:07 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Vic Barranca, Kathy Kiernan, Joe Guido, Dick Wenzel & Karl Wick.

Excused: Don Cole & Sean Fitzgerald

MINUTES

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

VOUCHERS

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

INFORMATIONAL

No new applications.

PUBLIC HEARING

09-17-13-01

St. Remy Reformed Church
534 Main Street

area variance
63.06-1-08.100

(Secretary's Note: All references to "Joe" will refer to Board member, Joe Guido.)

Joseph and Therese Landi were present, Mr. Landi representing applicant. No members of the public were in attendance.

Mr. Landi explained that St Remy Reformed Church is requesting a lot line adjustment between the Church and the Landis.

Mr. Landi stated that he had provided the items that were requested at the last meeting – a notarized letter from St. Remy Church giving Mr. Landi permission to act on the Church's behalf regarding this ZBA application and a letter from Church hierarchy giving their approval for the lot line adjustment.

Regarding the photograph of the property, Joe asked Mr. Landi if the area had changed. Mr. Landi explained that everything was exactly as the photograph shows and pointed out where the 20 feet would be added to his property.

Vic stated that he is familiar with the area and sees no problem with this variance. He suggested that the Board dispense with the third meeting and make a decision tonight.

Kathy asked for clarification on the variance. Joe explained that the Church's property is already undersized and this lot line revision would make it "more undersized". Mr. Landi stated that the Planning Board's language was "making a non-conforming lot more non-conforming". Mr. Landi said that his lot is also non-conforming according to today's zoning, but these (lots) have been around for 100 years. Kathy asked if the Church's lot was going from .551 acres to .459 acres, as stated on the Building Inspector's referral form. Mr. Landi replied, "I believe so."

Karl made a **motion to close the public hearing**, seconded by Kathy. All in favor.

Joe asked if Board members wanted to vote on this application tonight and the Board replied that they did.

DECISIONAL

09-17-13-01

St. Remy Reformed Church
534 Main Street

area variance
63.06-1-08.100

Motion:

Vic made a motion to grant a variance from Article VII Section 123-35 to allow a lot line adjustment of 20 feet to the north property line between St. Remy Reformed Church and Joseph and Therese Landi with the stipulation that applicant returns to the Town of Esopus Planning Board for final approval.

Motion seconded by Karl.

VOTE:

Dick – In favor. They are not changing any character and they have the Church's blessing. There are no conditions there that are going to harm anybody.

Kathy – In favor. There are no objections from the public. I don't think that it is a very large variance. The lot is undersized already.

Joe – In favor. It's before the Planning Board and there were no issues with the parking for the Church. Everything is going to stay the way it was – just the line being adjusted.

Vic – In favor for all the reasons stated.

Karl – In favor for several reasons. Number one, I think the variance is minimal. Number two, the notice of violation does not address recent history. When I look at the whole

picture, there is actually still an increase in the Church's property overall. And I like putting some land back on the tax rolls. Certainly this will not adversely effect the neighborhood.

Motion approved.

Joe told Mr. Landi that secretary would send a letter out with approval.

No other business.

Vic made a motion to adjourn the meeting. Seconded by Kathy. All in favor.
Meeting adjourned at 7:21 pm.

Respectfully submitted,

Joan Boris, Secretary
Zoning Board of Appeals