

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 November 19, 2013 meeting

CALL TO ORDER: Acting Chairman, Joe Guido, called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Excused: Don Cole

Also present: Gloria VanVliet

MINUTES

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

VOUCHERS

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

INFORMATIONAL

11-19-13-01	Quetzal Saunders 1356 Old Post Road	area variance 71.30-4-27
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Mr. Saunders was present and he handed out a photo of his house and a survey. He explained that his house was built in Rifton before zoning code became effective in the 70's. The house is close to the road and present zoning requires a variance if he wants to build closer than 40 feet from the front property line. Applicant proposes to put a deck on the front of the house. The front entrance of the house has a four foot drop from the house to ground level. There is a retaining wall in front which splits the county road and applicant's property. He stated that the deck would make a safer landing for the front door and also make the house a lot more beautiful.

Joe asked applicant when the photograph was taken and applicant replied, "The beginning of the spring."

Referring to the photo, Kathy asked if the road was on the other side of that wall. Applicant replied that it was, and if driving on Old Post Road one can see that the retaining wall divides a lot

of the road from the property. The wall is about 4-5 feet in height. "So if there was a deck, it wouldn't be obtrusive to the road."

Applicant showed Board members his properties on the survey, where the deck is proposed, the retaining wall and driveway. He stated that the elevation from Old Post Road to the front of the house is 5-6 feet.

Joe asked if applicant was just building a deck and Mr. Saunders replied, "Yes." He stated that it would probably come out six feet, three feet in the driveway area, and would wrap around the side of the house.

Vic asked the distance from the edge of the deck to the edge of the road. Mr. Saunders replied that the house is 15 feet from the retaining wall and the road line would be another five feet or so. The deck would be about 13-14 feet off the road.

Secretary added that the Building Inspector's referral states that the "six foot deck would be seven feet from the property line". Karl calculated and found this to be correct.

Mr. Saunders reiterated that the "retaining wall really divides any obstruction on that road." Karl asked if applicant was on the east side of the road, applicant replied that he was. Karl said that the Board would probably visit the site.

Joe asked applicant to mark off the deck and the property line with stakes and to provide a better sketch of the deck for the public hearing next month.

Joe asked if applicant knows where the property lines are. Mr. Saunders replied that the surveyor had left flags marking the property.

Joe asked if there was a good time for the Board members to visit site. Mr. Saunders replied that during the day, during the week is good – he is on the property next door working. He provided his cell phone number.

Karl asked if applicant owned the neighboring property and if he had just recently purchased the lot for which he is requesting a variance. Mr. Saunders replied yes to both questions.

Kathy asked if the neighboring houses were close to the road and applicant replied that they were not as close to the road as his.

Joe asked if the deck was proposed for #1356 and applicant replied yes.

Sean asked applicant to point out on the survey map which two lots he owned. He asked how far the deck will be from the side property line. Mr. Saunders guessed that it was 30 feet. Sean asked if the deck would wrap around the house and applicant confirmed that it would.

Applicant stated that the elevation of the house to the driveway is about six feet and he was trying to have access to drive. He pointed out the stairs and where the proposed deck would change from six feet wide to three.

Joe asked if there will be steps coming off the deck. Applicant replied that there will be steps coming down from the front entrance towards the driveway where there were existing stone steps.

Joe explained the public hearing process and asked applicant to come back next month. He reminded Mr. Saunders to provide a better sketch and drop it off to secretary.

Karl asked secretary if there was a record of how old the house was. She replied that it was built before the State building code became effective in Esopus, 1960. Secretary will look at Assessor's records to confirm.

Kathy asked how close the electric pole was from the house. Applicant replied that it is right behind the retaining wall in the corner, right next to the driveway. He guesses it is 8-10 feet from the corner of the house.

OTHER BUSINESS

Joe asked Gloria if she knew what the Town Board has planned for Don's seat. She replied that she did not know and that they will probably decide by the end of December for the next year. She said they have not discussed any re-appointments. Joe stated that Don's term as chairman expires in December. Gloria does not know when his term as board member expires, but she gets a list from Diane each year.

Vic made a motion to adjourn, seconded by Karl. All in favor.

Meeting adjourned at 7:20 pm.

Respectfully submitted,

Joan Boris, Secretary
Zoning Board of Appeals