

ESOPUS ZONING BOARD OF APPEALS

Date: April 16, 2019
Town Hall, 284 Broadway
Port Ewen, New York 12466

PRESENT: Karl Wick, Chairman
Vic Barranca
James Banks
James Tomassetti
Frank Skerritt
Donn Avallone

Also present: Councilwoman Kathie Quick – liaison to the Town Board

Chairman Karl Wick called the meeting to order with the Pledge of Allegiance to the Flag at 7:01 p.m.

Roll call confirmed that a quorum was present.

Chairman Wick entertained a Motion to approve the Minutes of March 19, 2019 as corrected. Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt, and the affirmative vote of 6 members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the Motion was carried 6 – 0 by the following vote:

Member:	Vote
Karl Wick, Chairman	Aye
Vic Barranca	Aye
James Banks	Aye
Frank Skerritt	Aye
James Tomassetti	Aye
Donn Avallone	Aye

Chairman Wick entertained a Motion to approve the Voucher for payment of Administrative Assistant seven (7) hours. Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt, and the affirmative vote of 6 members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the Motion was carried 6 – 0 by the following vote:

Member:	Vote
Karl Wick, Chairman	Aye
Vic Barranca	Aye
James Banks	Aye
Frank Skerritt	Aye
James Tomassetti	Aye
Donn Avallone	Aye

For the benefit of those present, Chairman Wick explained the process for Zoning Board of Appeals application reviews, noting that there were three parts to this process - the Informational Meeting, the Public Hearing and the Decisional Meeting.

INFORMATIONAL:

There were no applications on for informational review and it was therefore closed.

Chairman Wick noted that the Public Hearing was duly noticed on March 22, 2019 and opened the public hearing.

PUBLIC HEARING:

**03-06-19-01 Mary McHugh
978 Cow Hough Road, New Paltz
SBL No. 71.3-2-16
Area Variance - Article V §123.21 (C) (5)**

Mary McHugh and Bruce Stalnaker were present and provided a brief history as to why the variance for the shed was being sought. The shed had existed for a number years and was well shielded by its location and surrounding trees. Ms. McHugh had taken numerous photographs of the surrounding neighborhood in support of the application of the variance and provided her ipad for circulation among the ZBA members. Said photographs supported the premise that the request was in keeping with the character of the neighborhood and there were other homes in the vicinity that also had same lot configurations with sheds in front/sideyards.

There being no person present wishing to speak and there being no public controversy raised and hearing no further comments from the Board, Chairman **Wick called for a motion to close the Public Hearing.** Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt, and the affirmative vote of 6 members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the Motion was carried 6 – 0 by the following vote:

Member:	Vote
Karl Wick, Chairman	Aye
Vic Barranca	Aye
James Banks	Aye
Frank Skerritt	Aye
James Tomassetti	Aye
Donn Avallone	Aye

DECISIONAL:

Chairman Wick polled the Board as to whether it wished to render a decision. The ZBA being in agreement that they wished to vote on the application, **Chairman Wick entertained a motion to approve the area variance pursuant to Article V §123.21(c) (5).** The request was made to

allow an outbuilding forward of the house, which outbuilding (shed) had existed for quite some time and, although it was not pre-zoning, it was not in compliance with the Code and therefore, would need to be moved, removed, or a variance was needed to be granted to bring into compliance. Upon Motion of Member Vic Barranca, seconded by Member James Banks, and the affirmative vote of 6 members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the Motion was carried 6 – 0 by the following vote:

Member:	Vote	Supporting Opinion
Karl Wick, Chairman	Aye	Looking at topography of the land, sees no other good solutions and that this proposal is actually in character with the neighborhood – given the number of properties in neighborhood with the same situation. Putting shed in front (although self created) doesn't preclude the Board from granting the other four conditions
Vic Barranca	Aye	Doesn't jeopardize the character of the neighborhood; fits well within the character of the neighborhood
James Banks	Aye	Agrees with granting approval for reasons stated; topographical layout doesn't allow for an easy alternative
Frank Skerritt	Aye	In favor of variance as previously noted and the shed met the frontyard setback requirements
James Tomassetti	Aye	Agrees with common opinion and trees add additional shielding of shed
Donn Avallone	Aye	Does not affect the integrity of the neighborhood; of all the nonconforming sheds currently existing in the neighborhood, this may be the least nonconforming of them.

Chairman Wick called for a Motion to adjourn the meeting. Upon Motion of Member James Banks, seconded by Member Vic Barranca, the meeting was adjourned at 7:22 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant

Submitted on April 25, 2019

Approved: June 18, 2019