

ESOPUS ZONING BOARD OF APPEALS

Date: April 16, 2024
1 Town Hall Way
Ulster Park, New York

PRESENT: Karl Wick, Chairman **ALSO PRESENT:** Councilperson Kathy Quick
Jim Tomassetti
Katie Zahedi
Guy Brought
Kathy Kiernan

EXCUSED: Gloria VanVliet
Mike Pittner

Chairman Karl Wick called the meeting to order with the Pledge of Allegiance to the Flag at 7:11 p.m. Roll call confirmed that a quorum was present.

Chairperson Wick called for a motion to approve the March 19, 2024 Minutes. Upon Motion of Chairman Wick, seconded by Member and the affirmative vote of 4 members, the negative vote of 0 members, the abstention of 1 member and 2 members being absent, the Motion was carried by the following vote:

| Member: | Vote |
|---------------------|-------------|
| Karl Wick, Chairman | Aye |
| Guy Brought | Aye |
| Gloria Van Vliet | Excused |
| Katie Zahedi | Aye |
| James Tomassetti | Aye |
| Mike Pittner | Excused |
| Kathy Kiernan | Abstained |

Chairperson Wick welcomed the return of Member Kathy Kiernan.

Chairperson Wick called for a motion to approve the Voucher for the services of Dillon Harris, Esq. for services through March 19, 2024. Upon Motion of Chairman Wick, seconded by Member Brought and the affirmative vote of 5 members, the negative vote of 0 members, the abstention of 0 members and 2 members being absent, the Motion was carried by the following vote:

| Member: | Vote |
|---------------------|-------------|
| Karl Wick, Chairman | Aye |
| Guy Brought | Aye |
| Gloria Van Vliet | Excused |

| | |
|------------------|---------|
| Katie Zahedi | Aye |
| James Tomassetti | Aye |
| Mike Pittner | Excused |
| Kathy Kiernan | Aye |

Chairman Wick explained the ZBA review process.

INFORMATIONAL

04-02-24-01 Fros Area Variance – proposed deck
 §123-24 Supplementary regulations
 SBL No. 56.60-1-11
 NC Zoning

The lot was located on a corner and the front could be determined by the owners. Hannah and Matthew Fros addressed the Board, stating that the request for the variance was based upon the intention to construct a porch up to 20 feet long across the front of the house. The proposed house was 44 feet wide. Pursuant to the Determination of the CEO, all other setbacks had been met.

Chairman Wick explained that the Applicants needed to present that the request was reasonable and the character of the neighborhood would not be negatively impacted. Members were welcome to drive past the site and the Applicants required no prior notice. A public hearing would be scheduled regarding the application in May 2024.

PUBLIC HEARING

None.

DECISIONAL

Definition on ridgeline

Chairman Wick stated there had been a request to the ZBA to define “ridgeline.” He had provided information resulting from a search he had conducted to the Members. Member Tomassetti provided information taken from other Towns, one being Hillsdale in Columbia County and Warwick, which define ridgeline areas by elevations. Member Tomassetti felt using elevations was more appropriate and could be applied to landforms within Esopus over 500 feet in elevation. Chairman Wick felt that a basic definition should be provided rather than detail(s). Member Kiernan stated the ZBA had been asked to define the meaning of “ridgeline “and “ridge” and the Code directs use of the customary meaning of a word. Chairman Wick stated the goal was to create a general definition that would work and could be upheld in Court. Member Tomassetti had provided topographical maps of Shaupeneak Ridge for reference.

Chairman Wick had drafted a motion with no qualifiers in terms of distance or height. The Administrative Assistant confirmed that “ridgeline” was being defined with the term “ridge” defined as well. Chairman Wick read the proposed verbiage for the Motion as follows: “Ridgeline” – A line formed along the highest points of a ridge. The crest of a ridge. “Ridge” – A long narrow, elevated geomorphologic landform, separated from the surrounding terrain by relatively steep sides which slopes downward on either side, away from a narrow top on either side.

Upon Motion of Chairman Wick, seconded by Member Brought, the Motion passed 4-1-2 by the following vote:

| Member: | | Vote |
|---------------------|---|-------------|
| Karl Wick, Chairman | Supported motion | Aye |
| Guy Brought | Definition would prevent future issues | Aye |
| Gloria Van Vliet | | Excused |
| Katie Zahedi | Definition fit the purpose needed | Aye |
| James Tomassetti | There is one named topographical region in Esopus - Bellvalle | No |
| Mike Pittner | | Excused |
| Kathy Kiernan | Supported motion as presented pursuant to discussion | Aye |

Upon Motion of Chairman Wick, seconded by Member Guy Brought, and all Members in favor, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant

Submitted on May 2, 2024

Approved: May 21, 2024