

ESOPUS ZONING BOARD OF APPEALS

Date: July 20, 2021
Town Hall, 284 Broadway
Port Ewen, New York 12466

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

EXCUSED: Gloria Van Vliet
Elizabeth Ten Dyke

Chairman Karl Wick called the meeting to order with the Pledge of Allegiance to the Flag at 7:00 p.m. Roll call confirmed that a quorum was present.

VOUCHERS:

Vouchers were distributed for review by the Board.

Chairperson Wick called for a Motion to approve the Voucher for payment of services of the Secretary. Upon Motion of Member Frank Skerritt, seconded by Member Vic Barranca 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
Vic Barranca	Aye
Gloria Van Vliet	Excused
Frank Skerritt	Aye
James Tomassetti	Aye
Donn Avallone	Aye
Elizabeth Ten Dyke	Excused

Chairman Wick called for a Motion to approve the June 15, 2021 Minutes. Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt, 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
Vic Barranca	Aye

Gloria Van Vliet	Excused
Frank Skerritt	Aye
James Tomassetti	Aye
Donn Avallone	Aye
Elizabeth Ten Dyke	Excused

INFORMATIONAL

**06-03-21-01 Gerald I. Stokes
1796 Route 213
Rifton, NY
SBL No. 71.1-2-6
Area Variance – §123-20 Sideyard Setback**

Chairman Wick wished to disclose that he and the Applicant had a previous business dealing years ago and asked if the Applicant objected to Chairman Wick reviewing the application and voting. Mr. Stokes indicated that he had no objection.

Chairman Wick informed that Applicant of the ZBA process – informational, public hearing and decisional.

The Code requires a 5 foot backyard setback and if the proposed shed were place accordingly, it would be projecting into his driveway. Mr. Stokes was requesting that the shed be able to be placed within 1 foot of the property line.

Mr. Stokes provided a letter from his neighbor for the record.

Chairman Wick noted that the ZBA had granted variances for 3’ and possibly 2’ but didn’t recall ever having granted a variance to 1’. He noted that there was precedent for the front setback and Code should be reviewed to determine if it could be applied to the backyard.

Member Tomassetti inquired if there was a critical reason that the shed was 24’. The Applicant responded that it was pre-constructed and had been given to him by a neighbor. The existing structures predated Zoning.

Member Avallone asked if there would be adequate space between the 2 existing sheds and the proposed shed placement to which the Applicant responded affirmatively. The ZBA wanted 5’ between the outbuildings.

Chairman Wick requested that Members review the Code pertaining to average setbacks and maximum lot coverage as it pertained to this application.

The shed was currently on the neighbor’s property across the street and Members were welcomed to take a look at the site and the shed.

Member Skerritt wished to disclose that Mr. Stokes had worked with his wife years previously and the applicant had no objection to Mr. Skerritt voting.

Chairman Wick motioned to close the information portion of the meeting, seconded by Member Barranca. All present in favor, the information portion of the meeting ended at 7:20 p.m.

A request was made for the Applicant to provide an additional drawing indicating the location of the shed on the plans.

Other Business: Current fee schedule on the application requests \$100 plus \$15.00/dwelling unit for residential and \$300.00 plus \$45.00 for commercial. The Members discussed variance reviews and interpretations and agreed that the fee schedule should be revised to reflect “residential variance or interpretation...” and commercial variance or interpretation.

Members stated that it would be beneficial for all to receive hard copies of the updated Zoning Chapter.

Upon Motion of Member Vic Barranca, seconded by Member Frank Skerritt, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant

Submitted on August 3, 2021

Approved: August 17, 2021