

ESOPUS ZONING BOARD OF APPEALS

Date: September 17, 2019
Town Hall, 284 Broadway
Port Ewen, New York 12466

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

Also present was Town Board Liaison, Kathy Quick.

Chairman Karl Wick called the meeting to order with the Pledge of Allegiance to the Flag at 7:04 p.m.

Roll call confirmed that a quorum was present.

Chairman Wick entertained a Motion to approve the Minutes of July 16, 2019. 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. Upon Motion of Chairman Karl Wick, seconded by Member Vic Barranca, 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

INTERPRETATION

A request had been made by the Planning Board for the ZBA to provide an interpretation of §123-22 D (1)(a)[2] “Average Density Development (cluster subdivision)” and the question as to whether the requirements of that section could be applied to §123-13 B (2) [b] for the maximum permitted density calculation for a multi family development. Chairman Wick provided a high-lighted printout of both sections of the Code with the pertinent portion of each Code. Planner Alan Sorensen had also provided an opinion for the ZBA to consider. Chairman Wick indicated that the interpretation needed to be general and not specific to a particular application. Questions raised included the acreage and number of individuals on a parcel and the definition of “family.” The ZBA determined additional time for each member to review was necessary. The Secretary was asked to request a member of the Planning Board to attend the next meeting. Planner Sorensen had a conflict being able to attend the ZBA meetings but the Secretary would inquire as to the possibility of holding a special meeting so the ZBA could have a conversation with Planner Sorensen.

INFORMATIONAL

09-03-19-01 Paul Kennedy
734 Second Avenue, Kingston (Sleightsburgh)
SBL No. 56.44-1-21
Area Variance – Article 14§123-11 (3) (a)

Paul Kennedy, property owner, was present and provided an explanation of his situation leading to the request for a variance to allow for the number of chickens and roosters that he had on his property. He stated that chickens help reduce the tick and flea population, they provide eggs for himself and his neighbors to eat and are a fun hobby. Mr. Kennedy presently had 9 ISA hens and 3 ISA roosters and 18 Bantams (5 being roosters). The Applicant housed the chickens on a lot under the minimum required 1-acre cited in the Code. Mr. Kennedy stated that adjoining neighbors did not have an issue with the chickens except for a neighbor up the block.

Member James Banks suggested that a compromise may be to thin out the rooster population. Mr. Kennedy responded that the roosters made no more noise than the dogs in the neighborhood. He stated that he has resided on the property for 12 years and had the chickens for approximately 4 years. In response to the question raised by Member Frank Skerritt, Mr. Kennedy responded that the waste was composted and he used lime to eliminate the odor. The chickens were released periodically for exercise and did not continually roam.

A Public Hearing was to be scheduled for October 15, 2019 and Mr. Kennedy was amenable to the Board Members conducting a site visit.

Chairman Wick called for a Motion to adjourn the meeting. Upon Motion of Member Frank Skerritt, seconded by Member Vic Barranca, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant
Submitted on September 30, 2019
Approved: October 15, 2019