



James Tomassetti	Aye
Mike Pittner	Aye
Kathy Kiernan	Aye

**INFORMATIONAL**

**09-24-24-01                    Immordino Variance, 687 Broadway, Ulster Park, SBL No. 64.3-1-18.100**

Owner Catherine Immordino was present and explained that she owned the property which had two units. She wished to live in one unit and her mother would be living in the other unit. There had been a previous variance granted in 2015 by the ZBA which stated occupancy was for seasonal use only. A public hearing would be scheduled for the next month.

**08-23-24-01                    Karabec Appeal of CEO June 28, 2024 Letter of Determination - §123-24(A)**

**08-23-24-02                    Karabec Appeal of CEO June 28, 2024 Letter of Determination - §123-24(B)**

Both matters were to be scheduled for public hearings for November 19, 2024. Attorney Stenger was directed to submit a \$200.00 payment for each public hearing. Attorney Stenger noted that the public hearings had not been scheduled at the October meeting.

Attorney Harris noted that the Town Board had passed a Resolution in June 2024 enabling the Zoning Board of Appeals to establish escrow for applications necessitating attorney review. Attorney Harris recommended establishing escrow for each of the Appeals submitted relative to the CEO’s June 28, 2024 Letter of Determination. The amount of escrow needed to be determined.

**Chairperson Wick motioned to establish escrow in each pending appeal in an amount to be determined after review of the Code.**

Member Tomassetti requested clarification relative to the date upon which escrow could be established. Attorney Stenger requested that the statute be reviewed to determine the correct amount able to be requested to establish escrow.

**Upon a second by Member Brought and the affirmative vote of 5 members, the negative vote of 0 members, the abstention of 0 member and 2 members being absent, the Motion was carried by the following vote:**

<b>Member:</b>	<b>Vote</b>
Karl Wick, Chairman	Aye
Guy Brought	Aye
Gloria Van Vliet	Absent
Katie Zahedi	Absent

James Tomassetti	Aye
Mike Pittner	Aye
Kathy Kiernan	Aye

**DECISIONAL:**

06-11-24-01            **Attorney Stenger Appeal of 4/1/2024 CEO Letter of Determination - Seasonal**

After conferring with Council, Chairman Wick stated his interpretation was, that while the CEO’s 4/1/2024 Letter was done in good faith, was not a part of the CEO’s statutory job duties and therefore was not binding, there was no aggrieved party and therefore there was nothing to appeal, it was moot and there was nothing to rule on further.

**Chairman Wick motioned, in reference to the CEO’s Letter of April 1, 2024, whereas, while the letter was written in good faith, it was not part of the CEO’s statutory duties for the Town, it was therefore nonbinding, therefore no harm was done and therefore there is nothing to appeal and the ZBA will not hear any further evidence on the matter.**

**Upon a second by Member Brought and the affirmative vote of 5 members, the negative vote of 0 members, the abstention of 0 member and 2 members being absent, the Motion was carried by the following vote:**

<b>Member:</b>	<b>Vote</b>
Karl Wick, Chairman	Aye
Guy Brought	Aye
Gloria Van Vliet	Absent
Katie Zahedi	Absent
James Tomassetti	Aye
Mike Pittner	Aye
Kathy Kiernan	Aye

Upon Motion of Chairman Wick, seconded by Member Brought and all in favor, the meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant

Submitted on October 2, 2024  
Approved: November 19, 2024