

Zoning Board of Appeals

Final Meeting Minutes

July 9, 2019

At 7:00 pm Chair Loza welcomed everyone to the July 9th Zoning Board of Appeals meeting at the New Paltz Community Center.

Motion 1 by Leonard Loza to call the meeting to order at 7:00pm. Motion 2 by Caroline Paulson. All present in favor. Motion carried.

Chair Loza stated to start with the review and approval of the minutes (from June 11th) as amended, noting the change to the minutes were George Lithco's comments added to the minutes. Chair Loza stated he'd like to do the roll call now.

Roll Call: Joe Douso, Steve Esposito, Caroline Paulson, Leonard Loza

Also attending: Attorney Joe Moriello, Building Inspector Stacy Delarede, and Code Enforcement Officer Krissy Granieri.

Excused Absence: Kelly O'Donnell

Going back to the minutes, Chair Loza asked for a motion to approve the minutes after no further comments.

Motion 1 by Caroline Paulson to approve the minutes as amended. Motion 2 by Steve Esposito. All present in favor. Motion carried.

Public Comments – none

ZBA 19-133 Raney Area Variance

Susan Raney of 8 Joalyn Road, appeared before the Board to discuss her application for an area variance. Ms. Raney explained to the Board that they had just bought the home in March, and had applied for an accessory apartment with the Planning Board, who then referred the applicant to the Zoning Board for a variance for the existing 2nd front door to access the accessory apartment, which isn't allowed for an accessory apartment. Ms. Raney stated she would like to keep the 2nd front door as it's been there for over 30 years, explained her reasons for keeping the 2nd front door, but her main reason that it is easily accessible for them if they will need it down the road (as they age). Stacy Delarede stated that the problem with this home is that the house is pre-existing, non-conforming, and the garage was built too close to the south property line, and if the applicant were to change the apartment to the rear entrance, around to the back of the home, which makes it a long way around and makes it somewhat inaccessible but doable. Joe Douso asked to review the map of the layout, and after reviewing with the applicant, Joe asked Stacy if this was okay in the area it is zoned in. Stacy replied it is R1 district and is permitted use, but the code states only one front entrance on the house. Stacy explained the code to the Board, adding that there is no requirement for a new home to put in two doors, but for an accessory apartment only one door is allowed. Chair Loza asked about the accessory law coming about, (1986 per Stacy), if there was any consideration to change the law allowing a second door to be permitted in the front. Stacy commented no, as it is specific (in the code). Stacy stated that when you build an accessory apartment, the door has to be located on the side or in the rear. Attorney Moriello commented that you can have 2 front doors for a single family home, but with the accessory apartment law, you can't have two doors front facing, that is the problem.

Stacy Delarede stated she wanted to clarify the number of doors in the front of the house. Stacy stated there is the main front door to the left, the door for the planned apartment, and another walk through door into the garage; there are 3 doors, not counting the overhead (garage) door. Chair Loza asked if the garage door is not counted. Stacy stated that the overhead door is not counted. Attorney Moriello verified with Ms. Raney that the door closest to the overhead door goes into the garage only, and the furthest door away goes into the portion of the house furthest from the garage. Stacy Delarede commented about the 3rd door not being on the plan submitted. Ms. Raney commented she thought that the 3rd door was on the smaller drawing she submitted.

Attorney Moriello asked if the Planning Board gave or will give a recommendation, which Pat stated not yet. Stacy Delarede commented that the Planning Board will wait for the ZBA results before they will approve the application.

Chair Loza asked for a motion to set the public hearing for ZBA 19-133 for the month of August, the 13th. **Motion 1 by Caroline Paulson. Motion 2 by Steve Esposito. All present in favor. Motion carried.**

Chair Loza explained to the applicant the public hearing process, and to see Pat for the public hearing packet. Chair Loza further explained that the applicant will be expected to answer the 5 questions after the public hearing, then they would vote, then Ms. Raney will go back to the Planning Board. Joe Douso stated he was still a little confused about the doors; Ms. Raney explained about the main door, the access door to accessory apartment, and the 3rd door going directly into the garage. Attorney Moriello reminded the applicant that the 5 questions she will need to answer are on the area variance application. Pat to check with the PB Chair to get on their agenda for 7/22 meeting to discuss recommendation to the ZBA.

Quorum check: Everyone present to be there at the August 13 meeting; Stacy indicated if she wasn't, Krissy would be. Ms. Raney was thanked for attending the meeting.

Open Discussion

Caroline Paulson mentioned the upcoming planning session in Hyde Park with no agenda items but Pat explained that it's just to let everyone know of the upcoming session and if anyone is interested in attending as they need to get Town Board approval, and added that a full agenda will be sent when it's ready.

Chair Loza asked for a motion to adjourn the meeting. **Motion 1 by Caroline Paulson. Motion 2 to by Joe Douso. All present in favor. Motion carried.**

Meeting adjourned at 7:21pm.