

Town of New Paltz  
Zoning Board of Appeals  
FINAL Meeting Minutes  
March 8, 2016  
7:00pm

The meeting was called to order at 7:00 pm by Ed Burke.

Roll call: Ed Burke – present; Caroline Paulson – present; Phil Subey– present; Joe Douso – present; Leonard Loza – present; Joe Moriello – present.

Others Present: None

**PUBLIC COMMENT ON ISSUES OTHER THAN PUBLIC HEARING:**

None

**MINUTES:**

The February 9, 2016 minutes are presented for approval.

Motion to approve these minutes made by Leonard Loza.

2<sup>nd</sup> by Caroline Paulson.

All others present in favor. Motion passed.

**PUBLIC HEARINGS:**

**ZBA 2013-06, Trans-Hudson Mgt./CVS, 22 N. Putt Corners Rd., Area Variances**

The applicant has asked to keep this public hearing open until the April 2016 meeting, as the Planning Board has still not completed SEQRA.

Motion to keep the public hearing open until the April 2016 meeting is made by Caroline Paulson.

2<sup>nd</sup> by Phil Subey.

All others present in favor. Motion passed.

**ZBA 2016-01, Demaria, 3 Fieldstone Dr., Area Variance**

Motion to open the public hearing for the night is made by Caroline Paulson.

2<sup>nd</sup> by Leonard Loza.

All others present in favor. Motion passed.

Steve Esposito, neighbor from N. Putt Corners Rd., is in favor of the variance.

Bruce Budge, adjoining property owner, is in favor of the area variance.

The Board did receive two written letters of concern with this application.

Ed Burke states that he would like to leave the public hearing open while the Board reviews the application tonight.

#### **APPLICATION REVIEWS:**

##### **ZBA 2016-01, Frank Demaria, 3 Fieldstone Dr., Area Variance**

Mr. Demaria comes before the Board to discuss his application for an area variance. He presents his plans for the detached garage that he is proposing. It is 22' from most of the property line, but in the rear it is only 13' from the property line. He continues to discuss the design and details of the proposed two car garage. He is also proposing to plant some trees along the property line. The property line already has a tree line. He shows a site plan for the property, and shows that there is really nowhere else it can go because of the driveway, rear deck, septic, etc.

Phil Subey went to visit the site, and agrees that there was really not a better place to put it, but he is concerned about the neighbors concerns.

Caroline Paulson mentions that they are not voting on the structure, they are granting a variance, not what type of structure is being proposed.

Mr. Demaria discusses how Mr. Houghtaling had apparently not received his letter. Mr. Demaria heard about this from another neighbor, who notified him that Mr. Houghtaling did not receive a letter. The neighbor suggested that Mr. Demaria hand deliver the letter to him. Mr. Demaria hand delivered the letter to him. Mr. Houghtaling invited him into his house, and at that time, he had no problems with the garage.

Ed Burke notes that even if he placed the garage at an angle, and did not require a variance, it would still be in the line of sight of Mr. Houghtaling. This location would not be aesthetically appealing either.

Leonard Loza notes that the way it is proposed allows headlights to always be aimed at the garage, and not askew into someone's property. He also notes that though the neighbor suggested other means of storage, this is not for storage, but for his automobiles.

Ed Burke mentions that the real predicament is that the original house had a two car garage, but the previous owner converted it into living space. Therefore Mr. Demaria bought this problem. He didn't create the hardship, but he could always build a smaller one car garage.

There is continued discussion on sliding the garage forward onto the existing driveway, and then still needing a variance from the distance to the house.

Phil Subey discusses the issues he sees. Mr. Houghtaling's issue with ruining his view is an issue. Caroline Paulson states that it seems that his issue is with the building and not the variance. Even if he slid the garage over and did not require a variance, it would still be the same view for the neighbor.

Joe Moriello discusses the information in the letters. He also discusses the five criteria. Ed Burke is still concerned with the height of the structure. Mr. Demaria did not want to purchase the plans until he knew if he could get a variance. Ed Burke is not comfortable voting until he sees the actual plans so he can confirm the height.

There is continued discussion on revising the location, and enlarging the driveway so a variance wouldn't be needed. The Board would like to see the actual survey, so that they can see the true property lines. In this way they could be sure that there may or may not be a different location that would require less relief from the set-back. Mr. Demaria states that the fence is on the actual property line.

Ed Burke tells Mr. Demaria that he could ask the Board to close the public hearing and vote on it, or he could ask them to leave it open and he could get a true survey and look at other options for the location of this proposed garage.

Joe Moriello suggests that he plot the actual 22x22 building to scale on an instrument survey. In that way they could see if he really even needs this variance, or a smaller amount of relief. Mr. Demaria agrees to do this.

Ed Burke notes that the next meeting is April 12.

Motion to hold the public hearing open until the April 12, 2016 meeting is made by Caroline Paulson.  
2<sup>nd</sup> by Leonard Loza.  
All others present in favor. Motion passed.

#### **OLD BUSINESS:**

None

#### **ADMINISTRATIVE ISSUES:**

There is a discussion on a quorum for the April 2016 meeting. It appears that all will be there.

Motion to adjourn made by Caroline Paulson.  
2<sup>nd</sup> by Phil Subey.  
All in favor,

Adjourned at 8:00 pm.

These minutes respectfully submitted by Kelly O'Donnell, Secretary