

Town of New Paltz
Zoning Board of Appeals
FINAL Meeting Minutes

March 10, 2015
7:00pm

The meeting was called to order at 7:06 pm by Linda Donovan.

Roll call: Linda Donovan – present; Patricia Schwartz – absent; Phil Subey– present; Ed Burke – absent; Bob Hughes – present; Joe Moriello – present.

Linda Donovan welcomes Phil Subey to the ZBA, and states her thanks to Bob Hughes for his service to the ZBA, as this is his last meeting.

PUBLIC COMMENT ON ISSUES OTHER THAN PUBLIC HEARING:

None

MINUTES:

The November 12, 2014 minutes are presented for approval. Motion to approve these minutes made by Bob Hughes.

2nd by Phil Subey.

All others present in favor. Motion passed.

The minutes of December 9, 2014 are presented. Motion to approve these minutes made by Bob Hughes.

2nd by Phil Subey.

All others present in favor.

PUBLIC HEARINGS:

ZBA 2014-10, Schaller/ABVI, 7 Terwilliger Ln., Area Variances

The applicant has asked to keep this public hearing open until the May 11 meeting.

Motion to keep the height variance public hearing open until May 11, 2015 is made by Bob Hughes.

2nd Linda Donovan.

All others present in favor. Motion passed.

ZBA 2013-06, Trans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Area Variances

The applicant has asked that this hearing be continued to the April 14, 2015 meeting.

Motion to continue this public hearing until the April 14, 2015 meeting is made by Bob Hughes.

2nd by Phil Subey.

All others present in favor. Motion passed.

APPLICATION REVIEWS:

ZBA 2015-01, Kira Kinney, 283 Springtown Rd., Area Variance

Ms. Kinney comes before the Board to go over her request for relief from the height of a fence that she would like to put up on her farm. She would like to put up 8' steel fencing to keep the deer out of her produce farm. Her farm is 28.5 acres, she would like to fence it all off. She doesn't have a dollar estimate as to the amount of damage the deer have done to her crops. She has repeatedly tried to use temporary fencing, but they chew through on a nightly basis. She has been saving for several years to buy this fencing. The entire project will cost her about \$30,000. She has a full scale organic farm, some laying hens, and the rest is vegetables. She doesn't have fruit trees. Linda Donovan suggests that she put a footnote on the bottom of the plan that states that the temporary fenced in area will come down once that area is no longer in use. She is requesting 4' of relief for the entire front of the property, from the front line of the house to the road; and 2' of relief from the front line of the house along the sides and rear property lines. This should be revised on the application. There are no set-back requirements for fences off of the property line. Linda Donovan asks for Ms. Kinney's permission for Kelly O'Donnell to modify her application with the appropriate verbiage. She agrees to this.

Motion to set the public hearing for the April 14, 2015 meeting is made by Bob Hughes.

2nd by Phil Subey.

All others present in favor. Motion passed.

ZBA 2014-11, Sal Vecchio, 9 Laura Dr., Area Variance

Mr. Vecchio comes before the Board to discuss his application for relief from a side yard set-back in order to put up a shed. He states how when he put an offer on this house there was a shed there, but since it didn't meet the set-back requirements, the owner took it down before he closed on the house. He would like to put the shed back in that same location, as they do have physical limitations, and would like it as close to the house as possible. He presents the Board with revised drawings of exactly where he plans to place the new shed. He also feels that aesthetically this is also the best location. Linda Donovan questions other locations that the shed could be placed. It could go in another location, but with his disability, he would prefer to have it as close to the driveway as possible in order that it be on solid ground for safer walking. Mr. Vecchio also shows the Board the actual survey of his property. There is a discussion on a variance for the owner having a physical disability. Joe Moriello states how a variance can't run with a person, it can only run with the land. Bob Hughes states that he needs to correct the amount of relief that he needs, as when he originally submitted the application, he was looking for a different amount. He is actually seeking 13' of relief. Linda Donovan states that there are still other areas that it could be placed that are more compliant. Joe Moriello explains how the applicant needs to address the five criteria for granting a variance, and the Board's concerns of not being

able to meet these criteria. Bob Hughes suggests that he reduce the size of the shed to a 10'x14', and therefore he would need less relief from the code. Mr. Vecchio states that he really needs the larger shed for storage. Linda Donovan suggests that they be open to this suggestion. She would also like them to bring in proof of their disability. Bob Hughes states that they should consider other locations for storage, thus reducing what they actually need to store in this shed. In this way they may not need such a large shed. Joe Moriello asks Mr. Vecchio to point out the location of the septic. It is in the front of the house.

Linda Donovan and Bob Hughes discuss with the applicant that they should be sure, before the public hearing, exactly where and what size shed they truly want. They need to be more precise. It is easier to grant a variance that is being requested for less relief than more relief. Mr. Vecchio also mentions that he does have a 40' drainage easement in his rear yard that makes less of his property usable.

Motion to set the public hearing for April 14, 2015 is made by Bob Hughes.

2nd by Phil Subey.

All others present in favor. Motion passed.

OLD BUSINESS:

None

ADMINISTRATIVE ISSUES:

Linda Donovan introduces Mr. Joe Douso who will be a new member of the ZBA beginning at the April meeting.

Linda Donovan also thanks Bob Hughes for his years of service to the Town on not only the ZBA, but various other Boards over the years since 1999.

Motion to adjourn made by Bob Hughes.

2nd by Phil Subey.

All in favor,

Adjourned 8:25pm

These minutes are respectfully submitted by Kelly O'Donnell, Secretary