

Town of New Paltz
Zoning Board of Appeals
FINAL Meeting Minutes

August 11, 2015
7:00pm

AGENDA

ZBA 2013-06, Trans-Hudson Mgt./CVS, 22 N. Putt Corners Rd., Area Variances
ZBA 2015-06, Thomas Wanning, 320 Route 32 N., Area Variance

The meeting was called to order at 7:02 pm by Ed Burke.

Roll call: Ed Burke – present; Patricia Schwartz – present; Phil Subey– present; Joe Douso – absent; Leonard Loza – present; Joe Moriello – present.

Others Present: Stacy Delarede, Building Inspector

PUBLIC COMMENT ON ISSUES OTHER THAN PUBLIC HEARING:

None

MINUTES:

The July 14, 2015 minutes are presented for approval.

Motion to approve these minutes made by Ed Burke.

2nd by Pat Schwartz.

All others present in favor. Motion passed.

PUBLIC HEARINGS:

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

Jae Bevan, Town resident, came before the Board to discuss her concerns with this application. She has specific concerns on tree cutting, the removal of the slip lane and the general negative impacts. She also stated that she counted five CVS stores within a 10 mile radius.

The applicant has asked to keep this public hearing open until the September 8, 2015 meeting, when hopefully the Planning Board will have closed their public hearing.

Motion to keep the public hearing open until September 8, 2015 is made by Pat Schwartz.

2nd Phil Subey.

All others present in favor. Motion passed.

ZBA 2015-04, Rachele Ottens, 1 High Pasture Rd., Area Variance

Rachele Ottens comes before the Board to discuss her application to continue an existing fence that was placed there by the neighbor.

Motion to open the public hearing is made by Phil Subey.

2nd by Leonard Loza.

All others present in favor. Motion passed.

Chris Coleman, an attorney retained by the neighbors, the Ari's, comes before the Board to object to the use of stockade fencing. He would like to suggest that perhaps they could go in half and half, and continue with the cedar slat fencing that is already there.

The Board suggested that both neighbors leave the meeting, and try to come up with a settlement outside of the hearing room. When they returned, no agreement had been reached.

Mrs. Ottens requested that the Board make a decision on her variance request as submitted.

Ms. Finkenaar, a neighbor, speaks to the Board in favor of the applicant.

There is no one else present to make comments.

Ed Burke goes over with the applicant the five criteria for the granting of a variance:

- 1- No
- 2- No (they did try plantings, but that did not work)
- 3- No (88' of fencing that is 2' higher than allowed is not substantial)
- 4- No impact
- 5- Not self-created (neighbor cleared brush and trees that original afforded privacy)

Motion to close the public hearing is made by Leonard Loza.

2nd by Pat Schwartz.

All others present in favor. Motion passed.

Pat Schwartz reminds the Board that they only need to deal with the application that is before them, and should not be involved in what the neighbors may or may not do.

Motion to grant the variance request, with the condition that the side facing the neighbor will be painted a color that as closely as possible matches their fence, is made by Pat Schwartz.

2nd by Leonard Loza.

All others present in favor. Motion passed.

APPLICATION REVIEWS:

ZBA 2015-06, Thomas Wanning, 320 Route 32 N., Area Variance

Mr. Wanning comes before the Board to discuss his application. He would like to use the frontage on Mountain View Place to obtain his subdivision approval, instead of using the 100' along Route 32 N.

Attorney Moriello states that the Town Board may need to be involved, as there is 15' at the end of Mountain View Place that is currently owned by the Town but not paved.

Motion to set the public hearing for September 8, 2015 is made by Phil Subey.

2nd by Pat Schwartz.

All others present in favor. Motion passed.

OLD BUSINESS:

ZBA 2015-05, Marc and Colleen Schain, 70 N. Putt Corners Rd., Area Variance

The Schain's architect has requested that variance application and public hearing be postponed until they can go before the Planning Board with their revised site plans.

Motion to postpone the public hearing until September 8, 2015 is made by Pat Schwartz.

2nd by Leonard Loza.

All others present in favor. Motion passed.

ADMINISTRATIVE ISSUES:

Stacy Delarede, Building Inspector, announced to the Board that the Town hired a second Building Inspector. His name is Mark Jaffee.

Motion to adjourn made by Phil Subey.

2nd by Leonard Loza.

All in favor,

Adjourned 8:28 pm

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