

Town of East Fishkill

ZONING BOARD OF APPEALS

May 24, 2022

Chairperson Drummond called the Zoning Board of Appeals to order with a roll call via a Zoom meeting. Those present were Aziz Ahsan, Brandon Rodas, and Norma Drummond. Michael Cunningham, Esq., Town Attorney; and Jackie Keenan, Clerk, were also present.

Chairperson Drummond led the meeting with the Pledge of Allegiance.

CHAIRPERSON’S COMMENTS:

Chairwoman Drummond stated they are acting in accordance with the Governor’s Executive Order for meeting in a Zoom format that has been extended due to the COVID-19 Pandemic. The meeting was properly noticed and is being recorded. Chairperson Drummond went through the procedure of the meeting. There will be no in person public participation. There is one decision for a previously reviewed application. There are several Public Hearings and public comments will be taken after the Board has asked its appropriate questions. These are applications that the Board has reviewed and now the neighbors will have a chance to speak regarding these, as the Board acknowledges that they will know the property better than the Board members. They will be given instructions on how to participate at the appropriate time. There are a few reviews, which generally are the first time the Board is seeing these applications. There will be no public comments on any of these reviews this evening. Neighbors will be noticed on these applications at the appropriate time. Instructions were given on how to comment during the Public Hearings. She thanked everyone in advance for their cooperation.

Chairperson Drummond stated that the next meetings would be Tuesday, June 28, 2022, and Tuesday, July 26, 2022.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to approve the minutes of the meeting held April 26, 2022 as amended. Voted and carried unanimously.

DECISIONS:

DECISION – Appeal 4027 – Daniel Cabibbo (6457-04-563475)

Daniel Cabibbo, 191 Creekside Rd. Hopewell Junction, is requesting a 9’ sideline variance to allow a proposed (510 sf) garage and a 27’ rear line variance to allow a proposed (950 sf) addition, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Daniel Cabibbo was present.

APPEAL NUMBER: 4027

APPLICANT: Daniel Cabibbo

NAME OF PROJECT: Requests for: (i) an 11’ sideline variance from the Schedule of Bulk regulations to allow a proposed 510 sf garage; and (ii) a 28’ rearline variance from the Schedule of Bulk Regulations to allow a proposed 950 sf addition (the “Variances”)

LOCATION: 191 Creekside Rd. Hopewell Junction (the “Property”)

TAX MAP NUMBER: 6457-04-563475

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member Aziz Ahsan

WHEREAS, the Applicant applied to the ZBA for Variances in order to create additional living space in his home for his parents; and

WHEREAS, in order to meet the requirements of the Dutchess County Department of Health (“DOH”) for septic systems, the Applicant has agreed to remove a bedroom; and

WHEREAS, other houses in the neighborhood have two and three-car garages; and

WHEREAS, what the Applicant is intending to do is akin to the creation of an accessory apartment within his home; and

WHEREAS, the Applicant has discussed his plans to aesthetically improve his Property to match the level of the surrounding community; and

WHEREAS, this is a Type II Action under SEQRA; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on April 20, 2022; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on April 26, 2022 and reserved its decision for the May 24, 2022 Meeting; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variances will not produce an undesirable change in the character of the neighborhood as the Property will remain residential in nature;

The desired result cannot be achieved by some other means due to the orientation of the house and the need for the additional residential space to be located on the ground floor as the intended occupants are aged;

The Variances could be deemed substantial, but the Applicant has proposed the minimal Variances which would accomplish the desired result;

The Variances will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby approves the requests by Daniel Cabibbo for: (i) an 11' sideline variance from the Schedule of Bulk

Kevin Chorlins, 380 Rushmore Rd. Stormville, is requesting a 38' front yard variance to allow a proposed 18'x30' (520 sf) carport and a 44' front yard variance for a pre-existing non-conforming dwelling, pursuant to Section 194-107 of the Zoning Ordinance and the Schedule of Bulk Regulations of the Zoning Ordinance.

Reuben Buck was present.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated that this application was reviewed last month. She stated the issue with this house is that there is no existing garage, and everyone needs a place to store things. The request is for a little larger than the typical garage, but it is a carport. The nature of the property is steep to begin with. There is a very little area the applicant can work with to be able to put this carport in. It will still be a little bit of a distance to the house. The engineer has given the Board multiple sketches to be able to show that turning it around or putting it sideways could work, but it is not the greatest turning radius for the applicant or future owners to use it. She also stated that it is probably better to see the back of the carport, as the front of it has no doors. There are some chicken coops on the property that are not being used for chickens and they were going to be moved into an area that will no longer require a variance. She asked Mr. Buck if that had been done and he was not sure.

Chairperson Drummond asked Mr. Buck what the finish would be. Mr. Buck stated it would be cedar siding.

Chairperson Drummond stated there is some vegetation existing. The carport will still be visible in the wintertime but in summertime there is some coverage that will not be removed by the applicant. Rushmore Road is a pretty remote area, and this residence predates zoning.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

Chairperson Drummond asked if there was anyone from the public to speak for or against this. Mr. Chorlins thanked the Board for their support. He stated the residence was built in the 1880's. He will plant some evergreens to block the view from the street. He asked about a variance for a small cabana near the pool. It would be on the north side of the pool and will not require plumbing, just electric. Chairperson Drummond stated that this application has only been advertised for the carport. Mr. Buck stated he is not aware of a gazebo application. Attorney Cunningham stated if this needs a variance the

applicant will come back before the Board and, if not, he will just be dealing with the Building Department.

Chairperson Drummond asked if there was anyone else from the public to speak for or against this application. There was no one.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4030

APPLICANT: Kevin Chorlins

NAME OF PROJECT: Requests for: (i) a 38' front yard variance from the requirements of Section 194-107 of the Town Code for a proposed 18'x30' carport; and (ii) a 44' front yard variance from the requirements of the Schedule of Bulk Regulations for a pre-existing non-conforming dwelling (the "Variances")

LOCATION: 380 Rushmore Rd. Stormville (the "Property")

TAX MAP NUMBER: 6555-00-855659

ZONING DISTRICT: R-3

Resolution offered by Zoning Board Member Aziz Ahsan

WHEREAS, the Applicant purchased a pre-existing nonconforming property that was built significantly before the original zoning ordinance was approved in the Town; and

WHEREAS, the Property is in an area of Town with a rural character; and

WHEREAS, the location of the carport was located to minimize intrusion to the neighbors; and

WHEREAS, the Applicant's design professional created multiple designs for the proposed carport, and selected the one deemed to be safest for the Applicant and the surrounding community; and

WHEREAS, this is a Type II Action under SEQRA; and

WHEREAS, the Legal Notice was published in the [Southern Dutchess News on May 18, 2022; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on May 24, 2022; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variances will not produce an undesirable change in the character of the neighborhood as the carport will have some screening from the existing vegetation and the Property will be in conformance with the rural feel of the area;

The desired result cannot be achieved by some other means due to the location of the existing house and driveway;

The Variances could be deemed substantial, but the Applicant has demonstrated that proposed location is the only location that would accomplish the desired result;

The Variances will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby approves the requests by Kevin Chorlins for: (i) a 38' front yard variance from the requirements of Section 194-107 of the Town Code for a proposed 18'x30' carport; and (ii) a 44' front yard variance from the requirements of the Schedule of Bulk Regulations for a pre-existing non-conforming

John Thom, 87 Stormville Rd. Stormville, is requesting a 23' side line and a front yard variance to allow an existing (1027 sf) barn, pursuant to Section 194-107 of the Zoning Ordinance and the Schedule of Bulk Regulation of the Zoning Ordinance.

Mike Gillespie and John and Tara Thom were present.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated the Board reviewed this application last month. The owners of the property are looking to subdivide the property and create a flag lot. The barn will be 2 feet away from the pole part of that new lot's property and that it will be in the front yard. It is currently the only building on the property. There is a house under construction on the adjacent property. Chairperson Drummond did do a site visit and the elevation difference between the barn and the driveway is a 6-to-8-foot drop to the driveway. There is a "road by user" already there so it is easy to see how the driveway will be. The house located diagonally across the street has a garage in its front yard as well, so there will not be a significant difference in the character of the neighborhood by allowing this barn to be in the front yard. The barn is currently not in great condition and the applicant stated if he is allowed to keep it, he will invest in repairs. It has a stone foundation and a rural look. Her personal opinion is that it would be nice to be able to keep an older barn on the property like this in this type of neighborhood.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

Chairperson Drummond asked Mr. Gillespie if there would be any other variances required for the subdivision. Mr. Gillespie stated he did not anticipate any. There is a floodplain in the back and some steep slopes but nothing that should require any variances. Chairperson Drummond stated that when she was reviewing the plan with the Town Planner it states the scale as noted, but they did not find the scale. Mr. Gillespie stated he would correct that for them. He stated as far as layout and design, this is the only variance required. Attorney Cunningham stated before a decision is issued, the applicant will have to verify with the Town Planner and the Engineering Department that there are no further variances required.

Chairperson Drummond asked if there was anyone from the public to speak for or against this application. There was no one.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to close this Public Hearing and reserve their decision until confirmation that no further variances are required. Voted and carried unanimously.

PUBLIC HEARING – Appeal 4033 – Jamie Greenwald (6458-03-366440)

Jamie Greenwald, 50 Caties Way, Hopewell Junction, is requesting a 10’ sideline variance to allow a proposed 14’x20’ (280 sf) accessory structure, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Mr. Greenwald was present.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated the Board reviewed this application last month. The applicant is proposing a storage structure. It is 14 feet high, which is why there was some concern on the Building Department’s side. As per the applicant, the second floor will not be used for residential use. It is simply for storage. The applicant did not think there would be any objections from the neighbors.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

Chairperson Drummond asked if there was anyone from the public to speak for or against this application. There was no one.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4033

APPLICANT: Jamie Greenwald

NAME OF PROJECT: Request for a 10’ sideline Variance from the requirements of Section 194-107 and the Schedule of Bulk Regulations for a proposed 14’x20’ (280 s.f.) accessory structure

LOCATION: 50 Caties Way, Hopewell Junction (the "Property")

TAX MAP NUMBER: 6458-03-366440

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member Aziz Ahsan

WHEREAS, the Applicant proposes to install an approximately 14' high storage structure; and

WHEREAS, the Applicant does not currently have a storage shed on the Property; and

WHEREAS, the Applicant selected the location of the proposed storage structure to minimize the requested Variance; and

WHEREAS, the siding of the structure will match the siding of the Applicant's house; and

WHEREAS, this is a Type II Action under SEQRA; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on May 18, 2022; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on May 24, 2022; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variance will not produce an undesirable change in the character of the neighborhood as the Property will remain residential in nature;

The desired result cannot be achieved by some other means due to the layout of the Property;

The Variance could be deemed substantial, but the Applicant has proposed the minimal Variance which would accomplish the desired result;

The Variance will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby approves the request by Jamie Greenwald for a 10' sideline Variance from the requirements of Section 194-107 and the Schedule of Bulk Regulations for a proposed 14'x20' (280 s.f.) accessory Structure.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member Brandon Rodas

The votes were as follows:

Board Member James Meier	Absent
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Board Member Aziz Ahsan	Aye
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Board Member Rocco Limitone	Absent
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Board Member Brandon Rodas	Aye
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Chairperson Norma Drummond Absent

PUBLIC HEARING - Appeal 4034 – Jesus Santos (6455-02-828765)

Jesus Santos, 499 Shenandoah Rd. Hopewell Junction, is requesting an 11’ front yard variance to allow an existing 20’x33’ (660 sf) above ground pool, a 15’ front yard variance for the pool equipment and a 17’ front yard variance for a 690 sf pool deck, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Jesus Santos was present.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated the Board reviewed this application last month. She stated she thought at the last meeting the pool equipment was going to be moved to the rear of the pool to eliminate the need for one variance. She stated that the applicant did try to contact the Building Department during Covid but could not get a response. He went ahead and installed the pool. The nature of the lot is very steeply sloped behind his property. The applicant had to dig out an area to put the above ground pool into. That does hide it from view to some extent. They did decide it needs screening between the street and the church next door. The applicant offered to put up a fence. It was decided that if it will be a long length, it will require some landscaping to break up the visibility of a long fence. Since this was advertised with the variances, and he is agreeing to put up a fence, Chairperson Drummond is not sure that moving the pool equipment is necessary since a fence will be installed. She would rather see an investment made into additional landscaping as opposed to moving the equipment.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

Chairperson Drummond asked if there was anyone from the public to speak for or against this application. There was no one. Chairperson Drummond that it should be noted that this is more of a business area and the Town Board needed to take action to allow the structure to be used as a residence. There are very few residential neighbors in this area.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4034

APPLICANT: Jesus Santos

NAME OF PROJECT: Requests for: (i) an 11’ front yard variance from the requirements of Section 194-95 of the Town Code and the Schedule of Bulk Regulations for an existing 20’x33’ (660 sf) above ground pool; (ii) a 15’ front yard variance from the requirements of the Schedule of Bulk Regulations for the pool equipment; and (iii) a 17’ front yard variance from the requirements of Section 194-94 of the Town Code and the Schedule of Bulk Regulations for a 690 sf pool deck (the “Variances”)

LOCATION: 499 Shenandoah Rd. Hopewell Junction (the “Property”)

TAX MAP NUMBER: 6455-02-828765

ZONING DISTRICT: B-1

Resolution offered by Zoning Board Member Aziz Ahsan

WHEREAS, the Applicant installed a pool at the beginning of the COVID-19 Pandemic without obtaining the necessary approvals; and

WHEREAS, the Applicant has posited that he intended to obtain all necessary approvals, but there were difficulties related to the COVID-19 Pandemic; and

WHEREAS, the Applicant has agreed to screen his pool by adding a fence; and

WHEREAS, the Applicant’s property is a residence in a B-1 Zone; and

WHEREAS, the Applicant is able to have a pool in a business zone after amendments to the Schedule of Bulk Regulations that included the following text: “Private swimming pools and tennis courts as an accessory use shall meet the bulk requirements of an R-1 Zone for any dwelling located in a “B” Zone”; and

WHEREAS, this is a Type II Action under SEQRA; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on May 18, 2022; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on May 24, 2022; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variances will not produce an undesirable change in the character of the neighborhood as the fence screening that the Applicant has agreed to install will provide aesthetic enhancements to the Property;

The desired result cannot be achieved by some other means due to the location of the existing house and the steep topography of the property;

The Variances could be deemed substantial;

The Variances will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby approves the requests by Jesus Santos for: (i) an 11’ front yard variance from the requirements of Section 194-95 of the Town Code and the Schedule of Bulk Regulations for an existing 20’x33’ (660

sf) above ground pool; and (ii) a 15' front yard variance from the requirements of the Schedule of Bulk Regulations for the pool equipment; and (iii) a 17' front yard variance from the requirements of Section 194-94 of the Town Code and the Schedule of Bulk Regulations for a 690 sf pool deck subject to the following conditions:

1. The Applicant shall install fencing to screen the pool; and
2. Plantings shall be placed in front of portions of the fence to minimize the visual impact of the fence.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member Brandon Rodas

The votes were as follows:

Board Member James Meier	Absent
Board Member Aziz Ahsan	Aye
Board Member Rocco Limitone	Absent
Board Member Brandon Rodas	Aye
Chairperson Norma Drummond	Aye

PUBLIC HEARING - Appeal 4036 – Karen LeCain (6358-01-431579)

Karen LeCain, 1031 Route 376, Wappinger Falls, is requesting a 110' front line, 123' left side line, 46' right side line and a 122' rear line variance to run a kennel out of the existing buildings, pursuant to Section 194-55.1 of the Zoning Ordinance.

Karen LeCain was present.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated the Board reviewed this application last month. The applicant is proposing a doggie daycare with kennels and possibly boarding called Mutts Mansion out of the old Small World Daycare Center. This is right by the town line. There are only two residential homes near there. It is more of an industrial area. They are also doing the approval for the kennels so that if the business does well, she can provide that service also. She is looking to just work with the existing structures that are there.

Chairperson Drummond asked how many animals would be in the kennel and the daycare at any given point. Ms. LeCain stated she would love to have up to 30 dogs a day at the daycare and maybe 10 to 15 boarding. Chairperson Drummond asked if 30 dogs would be outside at one time or if they would be broken up between the two buildings. Ms. LeCain stated they would be splitting them up by groups. The bigger building will be for the doggy daycare, and they would not have all the dogs outside at the same time. There are three separate yards that they would be using and with them separating the dogs by size.

Chairperson Drummond stated there is plenty of parking there. Ms. McCain stated she believes there are 21 parking spaces.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

Chairperson Drummond asked if there was anyone from the public to speak for or against this application. There was no one.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to close this Public Hearing. Voted and carried unanimously.

APPLICANT: Karen LeCain

NAME OF PROJECT: Requests for a 110' frontline variance, a 123' left sideline variance, a 46' right sideline variance, and a 122' rearline variance from the Schedule of Bulk Regulations and Section 194-55.1 of the Town Code to run a kennel out of the existing building (the "Variances")

LOCATION: 1031 Route 376, Wappinger Falls (the "Property")

TAX MAP NUMBER: 6358-01-431579

ZONING DISTRICT: I-3

Resolution offered by Zoning Board Member Aziz Ahsan

WHEREAS, the Property is located in an industrial area of Town with minimal neighbors; and

WHEREAS, the Applicant intends for the business to include multiple services such as grooming and kenneling; and

WHEREAS, this Property had been empty since a daycare vacated the Property; and

WHEREAS, the Applicant has agreed to raise the fence to six (6) feet in height; and

WHEREAS, this is a Type II Action under SEQRA; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on May 18, 2022; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on May 24, 2022; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variances will not produce an undesirable change in the character of the neighborhood as the Property will be in conformance with the industrial nature of the area;

The desired result cannot be achieved by some other means due to the location of the existing building;

The Variances could be deemed substantial, but the Applicant has not proposed an expansion to the existing building;

The Variances will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby approves the requests by Karen LeCain for a 110' frontline variance, a 123' left sideline variance, a 46' right sideline variance, and a 122' rearline variance from the Schedule of Bulk Regulations and Section 194-55.1 of the Town Code to run a kennel out of the existing buildings (the "Variances") subject to the following conditions:

1. The Applicant shall obtain site plan approval from the Planning Board.
2. Compliance with all other requirements of Section 194-55.1 of the Town Code that the Applicant did not receive a variance for.
3. Sound absorbing material shall be installed within the building and around the perimeter of any outdoor runways and exercise pens.
4. An escrow of \$1,500 shall be held by the Building Department for one year from the date of certificate of occupancy to be used to hire an acoustical engineer or qualified noise expert should there be any discernable noise emanating from the Property or other complaints.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member Brandon Rodas

The votes were as follows:

Board Member James Meier Absent

Board Member Aziz Ahsan Aye

Board Member Rocco Limitone Absent

Board Member Brandon Rodas Aye

Chairperson Norma Drummond Aye

PUBLIC HEARING - Appeal 4037 – William Hardy (6657-03-192394)

William Hardy, 68 Brothers Rd. Stormville, is requesting a 13’ sideline variance to allow an existing 10’x22’ (220 sf) storage shed, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

William Hardy was present.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated the Board reviewed this application last month. The shed was installed by the applicant in approximately 1999. He did submit a letter from a neighbor in support of keeping the shed where it is. The property is on a steep slope, and this is the flattest area. There is a drainage issue in the backyard so the applicant acknowledged that this is the best part of the site to be able to keep the shed in. It will not have a second floor.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

Chairperson Drummond asked if there was anyone from the public to speak for or against this application. There was no one. Chairperson Drummond read a letter from Glenn Buckout at 62 Brothers Road in favor of this application.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4037

APPLICANT: William Hardy

NAME OF PROJECT: Request for a 13' sideline Variance from the requirements of Section 194-107 and the Schedule of Bulk Regulations to allow an existing 10'x22' (220 sf) storage shed

LOCATION: 68 Brothers Rd., Stormville (the "Property")

TAX MAP NUMBER: 6657-03-192394

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member Aziz Ahsan

WHEREAS, the Applicant installed a storage shed in 1999; and

WHEREAS, the Applicant selected the location of the storage shed to minimize the impact to his neighbor;
and

WHEREAS, this is a Type II Action under SEQRA; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on May 18, 2022; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on May 24, 2022; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variance will not produce an undesirable change in the character of the neighborhood as the shed has been there for over twenty years and the Property will remain residential in nature;

The desired result cannot be achieved by some other means due to the layout of the Property;

The Variance could be deemed substantial, but the Applicant has proposed the minimal Variance which would accomplish the desired result;

The Variance will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby
approves the request by William Hardy for a 13' sideline Variance from the requirements of Section
194-107 and the Schedule of Bulk Regulations to allow an existing 10'x22' (220 sf) storage shed.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member Brandon Rodas

The votes were as follows:

Board Member James Meier Absent

Board Member Aziz Ahsan Aye

Board Member Rocco Limitone Absent

Board Member Brandon Rodas Aye

Chairperson Norma Drummond Aye

REVIEWS:

REVIEW - Appeal 4035 – Michael Curcio (6655-01-215882)

Michael Curcio, 33 Cherry Ln. Hopewell Junction, is requesting a 22’ side line variance to allow a proposed 22’x26’ (572 sf) addition to a pre-existing non-conforming detached garage, 24’ side line and a 20’ front yard variance to allow an existing 23’X24’ (552 sf) pre-existing non-conforming garage and a 374 sf area variance for a proposed 1,124 sf detached garage, pursuant to Section 194-107 of the Zoning Ordinance and the Schedule of Bulk Regulations of the Zoning Ordinance.

Chairperson Drummond stated this applicant will submit for the June 28, 2022, meeting.

REVIEW – Appeal 4038 – Alberto Paratore (6356-01-365933)

Alberto Paratore, 109 Broadway, Hopewell Junction, is requesting a variance to allow an existing generator to be located in the front yard, pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Alberto and Mary Paratore were present.

Chairperson Drummond stated this is the first time the Board is seeing this application. This is in the Lomala neighborhood. The applicant did everything they were supposed to do. They did get a permit granted from the Building Department and when they went to do the final inspection it was discovered they did not meet all the requirements. This is for an emergency generator, and they have indicated that there is a retired senior living in the residence. Generators can be critical for some people during power outages. The site is approximately 400 feet off the road, so it will really not be visible to anyone but the applicant.

Chairperson Drummond asked if there were any questions or comments from the Board. There were none.

MOTION made by Aziz Ahsan, seconded by Brandon Rodas, to advertise and set this for Public Hearing for the June 28, 2022 meeting. Voted and carried unanimously.

ADJOURNMENT

MOTION made by Aziz Ahsan, seconded by Norma Drummond, to adjourn the Zoning Board meeting at 8:05 PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary