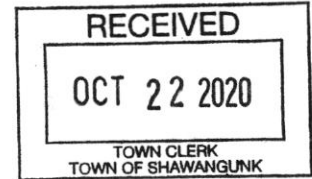


Town of Shawangunk  
Zoning Board of Appeals  
September 16, 2020



Minutes of a Public Hearing held by the Town of Shawangunk Zoning Board of Appeals on September 16, 2020 at 7:00 PM at the Town Hall, 14 Central Avenue, Wallkill, New York, County of Ulster for the following:

**Present Were:** Mr. Archie Reid – Chairman, Mr. Roger Rascoe, Mr. John Russo, Mr. Dennis Arluck and Mrs. Susan Wiand as members.

**Approval of Minutes:** A motion was made by Mr. Arluck and seconded by Mrs. Wiand to approve the minutes of August 19, 2020. **Vote:** Mr. Rascoe – Aye, Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye.

All Public Hearings remain open for one hour.

**Public Hearings:** None

**Public Hearings Continuations:**

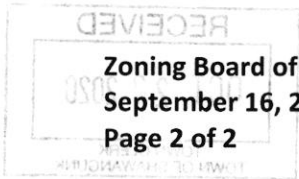
**Mirna and Augustin Guerrero – TM #: 99.4-1-48.100 (RAG-4) 1044 Bruyn Turnpike, Pine Bush, NY 12566 - §177-29E - 2<sup>nd</sup> Dwelling, §177-7G – Sideline Yard Setback and Road Frontage:**

The applicant first appeared on July 17, 2019 as a Public Hearing. The July 2019 meeting was adjourned so that the applicant would have ample time to review his options. This property has since been sold. No further action required.

A motion was made by Mr. Russo and seconded by Mr. Arluck to close this public hearing. **Vote:** Mr. Rascoe – Aye, Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye.

**Lori A. Gorman/Anthony Lospalluto – TM #: 105-1-4-19 (RAG-2) 56 Pirog Road – Pine Bush, NY 12566 - §177-15B – Accessory Structures – Swimming Pool:**

Mr. Lospalluto, Mrs. Lospalluto and Mr. Charles Bazydlo were present for this application. To recap, the applicants are seeking a variance for a swimming pool constructed without a permit. This is a self-created hardship. Mr. Lospalluto stated after seeking legal counsel and speaking with other people that he should be able to acquire a variance as to where the pool currently stands. He said he spoke to Ken Phillips from Phillips Pool and had a quote and a narrative for moving the pool, but it is at a hefty cost. Mr. Arluck stated he was not here to explain his position. There was a lengthy discussion on safety measures that the Lospalluto's will or have put in place for the pool to stay in its current location, such as a pool alarm, a privacy fence, bars on the windows, childproof window locks and a concrete barrier to protect the house's foundation if the pool fails, etc. Mr. Lospalluto wants to keep the pool where it is. No new survey had been submitted as had been requested by the Board showing locations of the well and leech field and/or showing alternate locations for the pool. There was a lengthy discussion that the pool could be moved back a few feet further away from the house or to the side of the house as discussed in previous meetings. A request will be made to the Building Department for a site visit and for them to submit a site report to the Zoning Board.



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**Lori A. Gorman/Anthony Lospalluto – TM #: 105-1-4-19 (RAG-2) 56 Pirog Road – Pine Bush, NY 12566 - §177-15B – Accessory Structures – Swimming Pool continued:**

**A motion was made by Mr. Arluck and seconded by Mr. Russo to continue this application to the October 21, 2020 meeting to follow up with the Building Department's site visit and site report. Vote: Mr. Rascoe – Aye, Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye and Mr. Reid – No.**

**Appearances: None**

There was discussion on miscellaneous zoning matters.

**A motion was made by Mrs. Wiand and seconded by Mr. Arluck to adjourn this meeting. Vote: Mr. Rascoe – Aye, Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye.**

**Meeting Adjourned at 7:50 PM  
Respectfully submitted,**

**Kathy Ebbrell  
Zoning Board of Appeals Secretary**