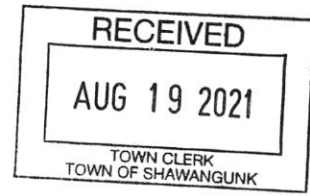


**Town of Shawangunk  
Zoning Board of Appeals  
April 21, 2021**



**Minutes of a Public Hearing held by the Town of Shawangunk Zoning Board of Appeals on April 21, 2021 at 7:00 PM at the Town Hall, 14 Central Avenue, Walkkill, 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 Mr. Russo to waive the approval of the minutes of October 21, 2020 and November 18, 2020 until the next meeting. **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:**

**Walker Valley Auto & Truck Repair – TM#: 98.18-2-8 (SB) 3670 State Route 52 – Pine Bush, NY 12566 - \$177-61 – Lot Area of .6345 Acres, Lot Width of 79.48’, Rear Yard of 25’, Side Yard of 14.5’, Both Side Yards of 3.3’ and Impervious Coverage of 44%:**

Mr. Alan Bohlen, owner of Walker Valley Auto & Truck Repair presented this application. Mr. Bohlen stated that due to a complete loss of the building due to a fire this past January, he would like to enlarge the footprint, move the building back and increase the parking area. The parking has been an issue for a long time. The previous building was two stories and he is planning on making it one and substantially increase the square footage due to increasing technology and all the equipment that is required to service the vehicles. Mr. Reid inquired as to whether Mr. Bohlen had seen the recommendation from the Ulster County Planning Board and he said he had not. Mr. Bohlen then read the recommendation. Mr. Rascoe stated that he feels that the Ulster County Planning Board overstepped their authority to have the NYSDOT and the Town reconfigure the intersection of Marl Road and Route 52 by using the cut through across from the Walker Valley Firehouse. If they want to review the traffic patterns on state roads and town roads, they should be discussing it with the Town Board, the Highway Department and the NYSDOT. Mr. Rascoe stated that the suggested route’s site view is even worse especially with the vehicles that are moving at a good clip down the mountain. There is no place for this in this application. The recommendation was received on April 20, 2021, the day before the meeting. Mr. Reid stated that we are looking at the application for land use. The Zoning Board needs a super majority of four votes to disregard the UCPB’s recommendation. Mr. Rascoe states that the second paragraph of the recommendation does not have any legal weight with this application but the first one does when they state that it needs site plan review. Mr. Rascoe stated that there are provisions in the law that states “when a structure is destroyed or damaged beyond repair when the owner or tenant of said used structure desires to rebuild for any reason the Zoning Board of Appeals after review and recommendation by the Planning Board may authorize such rebuilding if the rebuilding would not constitute substantial argument of use if the rebuilding would provide for better aesthetics, higher setbacks and further assist in alleviating existing nuisance characteristics”. This application appears to take care of these items. There was a lengthy discussion on how legally the Zoning Board could move forward without the applicant having to go to the Planning Board for site plan review. Mr. Arluck asked what the Building Inspector, George Sawyer, had to say regarding this plan. Mr. Bohlen stated Mr. Sawyer said he would give him a building permit today but due to the zoning restrictions it would be very difficult to make full use of the property with the grade of the property and position. He was surprised he had to come to the Zoning Board. Aesthetically the building would be a 100% improvement.