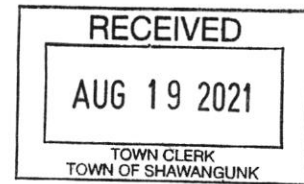


**Town of Shawangunk
Zoning Board of Appeals
October 21, 2020**



Minutes of a Public Hearing held by the Town of Shawangunk Zoning Board of Appeals on October 21, 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 Ms. Wiand and seconded by Mr. Russo to approve the minutes of September 16, 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:

James Boniface, Jr./Barbara Boniface – TM#: 104.4-2-24.100 and 104.57-1-24 (RAG-2) 31 Howe Lane and Burlingham Road – Pine Bush, NY 12566 - §177-65 – Frontage on a Private Road:

Margaret Hillriegel, Licensed Surveyor, presented this application. The applicant is proposing a lot line change at 31 Howe Lane and Burlingham Road. The trailer is to be removed and a house built. On Howe Lane there are two other residences and it is maintained by the Boniface Family. Mr. Russo asked if the driveway will be shifted off other parcels and the answer was yes. Mr. Reid stated that this was last subdivided in the 1940's. Merging these two parcels eliminates a house on a postage stamp. No further subdivision is proposed.

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.

A motion was made by Mr. Rascoe and seconded by Mr. Arluck to grant the variance to allow construction for a single-family dwelling on a private road. Our findings are that the required variance for the second lot is in the best interest of the area in that it eliminates a small undersized lot which also allows family members to stay in the community. The use of the private road in the back will not change the neighborhood. This variance is granted on the condition that the private road be shifted. Vote: Mr. Rascoe – Aye, Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye.

Public Hearings Continuations:

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 was present for this application. To recap, the applicants are seeking a variance for a swimming pool constructed without a permit that is too close to the house. This is a self-created hardship. 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. Mr. Reid stated it has been months since we have heard from the applicants and they have not provided any additional information or exhausted all other avenues.

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. 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.

A motion was made by Mr. Rascoe and seconded by Mrs. Wiand to deny this application. The Board's findings are to move the pool to another area as this is a self-created hardship. If they had gotten a building permit they would have been assisted with the location of the pool. Vote: Mr. Rascoe – Aye, Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye and Mr. Reid – No.

Appearances:

James and Melissa Priest – TM #99.1-7-7.12 (RAG-4) 67 Jansen Road, Pine Bush, NY 12566 – Inquiring for a Farm Brewery:

The Priests are inquiring for a Farm Brewery. Mr. Reid asked if this would include produce and tasting. Mr. Reid stated the Building Department interprets the code if it needs a variance, it will come in front of the Zoning Board. Mr. Rascoe stated this would have to go for site plan review and it is a Special Use Permit.

Clinton and Karen Knoll – TM #98.3-5-14 (RAG-2) 14 Red Barn Road, Pine Bush, NY 12566 – Inquiring what they can do with the back of their property:

The Knolls are inquiring what they can do with the property behind their house. They have 249' of road frontage and a total 6.9 acres. It is listed as a multiple residence. They are considering putting a modular home 80 yards behind their existing house. Mr. Rascoe stated to have the property surveyed showing a second dwelling on it.

There was discussion on miscellaneous zoning matters.

A motion was made by Mr. Russo 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 8:00 PM
Respectfully submitted,

Kathy Ebbrell
Zoning Board of Appeals Secretary