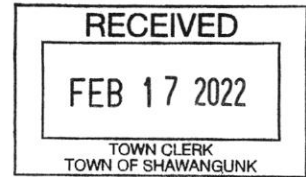


**Town of Shawangunk
Zoning Board of Appeals
December 15, 2021**



Minutes of a Public Hearing held by the Town of Shawangunk Zoning Board of Appeals on December 15, 2021 at 7:00 PM at the Town Hall, 14 Central Avenue, Walkill, New York, County of Ulster for the following:

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

The meeting was called to order at 7:00 PM. Chairman Reid led the Zoning Board for a moment of silence and the pledge to the flag.

Approval of Minutes: A motion was made by Mr. Arluck and seconded by Mr. Russo to approve the minutes of November 17, 2021. **Vote:** Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye.

All Public Hearings remain open for one hour.

Public Hearing Continuation:

Albert and Kim Dodd – TM#: 99.2-1-38 (RAG-2) 2680 New Prospect Road – Pine Bush, NY 12566 - §177-6E – Area Variance of 0.16 Acres for a 2 Lot Subdivision:

Margaret Hillriegel, Licensed Land Surveyor, presented this application. The Dodd's own approximately 7.26 acres at 2680 New Prospect Road and are proposing a two-lot subdivision. The subdivision will include a two-acre parcel that has full frontage on New Prospect Road and approximately a 4-acre parcel in the rear of the property that will be a flag lot. Ms. Hillriegel stated that she submitted a short form Environmental Assessment Form and when that is generated it populated a possible bog turtle habitat and an archeological site as it encompasses a broad area. A professional wetlands consultant stated this is not bog turtle habitat and that there is no archeological impact, most likely because of the 1776 house further down the road. The property does not meet zoning requirements of 0.16 acres after removal of the wetlands. The Ulster County's recommendation was returned "No County Impact". Mr. Russo stated that at the last meeting that culverts will run underneath the driveway and Ms. Hillriegel stated this will have to go the Army Corp. of Engineers for review and will be approved by nationwide permit. There were no additional comments or questions from the audience. Mr. Reid stated at this point the variance would be conditional upon Planning Board approval. There was a discussion as to why the applicant came to the Zoning Board before the Planning Board. Ms. Hillriegel stated it was a financial decision. Mr. Russo stated that the Planning Board may want a different lot line change and that the applicant would have to return. Ms. Hillriegel stated she doesn't see that as happening.

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

A motion was made by Mr. Arluck and seconded by Mr. Russo to grant the variance of 0.16 acres (2 acres required, 1.84 acres existing, 0.16 acres requested) for Lot 1 based on Planning Board approval. The Board's findings are that there is no significant impact in keeping the existing area. **Vote: Mr. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye.**

Appearance:

Robert D. Jansen – TM#: 99.1-2-15.200 (RAG-2) 30 Cornelia Brook Lane – Pine Bush, NY 12566 - §177-65 – Frontage on a Private Road and §29E – 2nd Dwelling:

Mr. Jansen is inquiring about creating an apartment for his mother to move from Virginia. He has 15 acres of land by putting a garage with an apartment on his property with whatever meets code – 900 SF? Mr. Russo asked if this structure would be connected to the main house and Mr. Jansen stated he didn't want it connected, very similar to what his neighbor had built. Mr. Jansen stated that his neighbor's building has been up for many, many years. There was a lengthy discussion about the location of these properties with their lot lines. Mr. Reid stated the fact that this parcel is on a private road, it is a stumbling block to grant any application. They would need public road frontage to satisfy a lot in the code which he does not have. There was discussion about an additional well and septic applicable needed for a second dwelling. Mr. Russo stated that if Mr. Jansen wanted to use the existing well and septic the dwelling would have to be attached to the primary structure. Mr. Russo stated that Mr. Jansen wants an accessory structure with an apartment, not a second dwelling. This property is landlocked. Mr. Jansen would need a Special Use Permit. Mr. Russo suggested that Mr. Jansen go back to the Building Department and tell them it is not going to be a separate building, but an attached accessory structure with an apartment and have the building guide you through.

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. Russo – Aye, Mr. Arluck – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye.

Meeting Adjourned at 7:43 PM
Respectfully submitted,

Kathy Ebbrell
Zoning Board of Appeals Secretary