



**Town of Shawangunk  
Zoning Board of Appeals  
September 20, 2023**

**Minutes of a Public Hearing held by the Town of Shawangunk Zoning Board of Appeals on September 23, 2023, at 7:00 PM at the Town Hall, 14 Central Avenue, Wallkill, New York, County of Ulster for the following:**

**Present Were: Mr. Dennis Arluck, Chairman, Mr. John Russo, Mrs. Susan Wiand and Mr. Ryan Reid as Members, Kathy Ebbrell, Zoning Board Secretary, Mark Watkins – Planning Board Chairman and members of the public.**

**The meeting was called to order at 7:00 PM. Mr. Arluck led the Zoning Board in the pledge to the flag.**

**Approval of Minutes: A motion was made by Mr. Russo and seconded by Mr. Reid to approve the meeting minutes of July 19, 2023, and August 16, 2023. Vote: Mr. Russo – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.**

All Public Hearings remain open for one hour.

**Public Hearing:**

**Robert and Patricia Detrick – TM #105.1-4-1.110 (RAG-2) 39 Eustance Lane, Pine Bush, NY 12566 - §177-15B - Variance for Installing a Pool on the Side of the House:**

Robert and Patricia Detrick are requesting a variance to install an inground pool on the side of their home. The rear yard elevation and the septic system are in the rear of the home and it not feasible. It is a very large property of 64 acres and the house is 900' from Route 52. Mr. Russo asked if they had a survey and Mr. Detrick said it is very costly as the surveyors cannot just do a partial of the property; they must do the entire property due to insurance issues. A topographical map was provided by the Assessor's office from the originally proposed subdivision. Mr. Detrick asked why a survey is necessary; Mr. Arluck stated it is required. Mr. Reid explained that all improvements made to the property should be shown so that an informed decision can be made. Mr. Detrick pointed out that in our Zoning law §177-15 (A) Accessory structures–(3)(c) states if the structure sits back more than 150' from the front lot line you could do just about anything. It is on the top of a hill. Mr. Russo asked if the applicants explored any other locations for the pool. They looked at the back yard, the elevations were way off. Mr. Detrick states the code does not give any relief for people who have large lots. Mr. Arluck inquired about the tree line and the Detricks stated it would still be over the septic and leech field. There was extensive discussion of the placement of the pool.

As per Mr. Detrick, a retaining wall would have to be built if they were to move the pool back any further. Mr. Russo stated with a pool of this size there will be plenty of fill to play with. Mr. Reid stated we need a partial survey to show the distances and to reach out to a couple of surveyors regarding doing a partial survey. Mr. Reid asked about wetlands, and they are 100s of feet away from the house. The applicants should check the DEC mapper for the wetlands. Mr. Russo would rather see the pool pushed back to the one slope line. The Board requires items supplied by a surveyor. There were no comments from the audience. Mr. Russo suggests pushing it back at least to the slope line; it looks like it encroaches the front yard. Mrs. Detrick stated you cannot see anything from the road. The plan was set in place in 2018 for three major renovations. Mr. Arluck suggests bringing back a site plan

**Robert and Patricia Detrick – TM #105.1-4-1.110 (RAG-2) 39 Eustance Lane, Pine Bush, NY 12566 - §177-15B - Variance for Installing a Pool on the Side of the House continued:**

or partial survey and moving the placement of the pool back about 10-15'. They are locked into that side of the house. The septic and well need to be marked out. Mr. Russo stated you must show your restraints. Mr. Detrick stressed a site visit for the Zoning members.

**A motion was made by Mr. Reid and seconded by Mr. Arluck to continue this public hearing to October 18, 2023. Vote: Mr. Russo – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.**

**Public Hearing Continuations:**

**Debra and Stephen DeEntremont – TM #98.1-1-9 (RS-1) 123 Clark Road, Pine Bush, NY 12566 - §177-23.2c.(2) and 117-10 – Variances for Lot Area of 5.448 Acres, Lot Width of 42.52' and Rear Yard Setback of 53':**

There was no one present for this application.

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

**A motion was made by Mr. Arluck and seconded by Mr. Reid to accept Debra and Stephen DeEntremont's application withdrawal letter dated September 5, 2023. Vote: Mr. Russo – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.**

**Lily of the Valley Homes/Kelly Zemski – TM #99.2-6-22 (RAG-4) 2491 Bruynswick Road, Walkkill, NY 12589 – §177-6G Variances for Lot Area of .7 Acres and Lot Width of 65':**

There was no one present for this application.

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

**A motion was made by Mr. Arluck and seconded by Mr. Russo to accept Lily of the Valley Homes/Kelly Zemski's application withdrawal letter dated August 15, 2023. Vote: Mr. Russo – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.**