

**Town of Shawangunk  
Zoning Board of Appeals  
November 15, 2023**

**Minutes of a Public Hearing held by the Town of Shawangunk Zoning Board of Appeals on November 15, 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, Mr. Richard Hoyt, Town Attorney, Kathy Ebbrell, Zoning Board Secretary, 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. Arluck and seconded by Mr. Russo to table the approval of October 18, 2023, minutes. **Vote:** Mr. Russo – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

All Public Hearings remain open for one hour.

**Public Hearing:**

**None**

**Public Hearing Continuations:**

**Darla Hall – TM #106.50-1-35 (HWG) 1460 Route 208, Wallkill, NY 12589 - §177-23.2 – Variance for Accessory Dwelling Unit:**

Mr. Russo recused himself from the discussion reviewing all the information submitted for this Public Hearing continuation. The Zoning Board acknowledged receiving additional information from Ms. Hall regarding living quarters for a caregiver.

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

Mr. Richard Hoyt read the drafted decision for this application - see attached. This completed application was well researched and the Board has reviewed everything submitted.

**A motion was made by Mr. Reid and seconded by Mrs. Wiand to deny this application (decision attached). Vote: Mr. Russo – Abstain, Mrs. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.**

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**Christopher Sparaco/NY USLE Bruynswick Road I LLC – TM #99.2-6-10 (RAG-4) 2319 Bruynswick Road, Walkill, NY 12589 - §177-23.1.E(3)b) – Solar Energy System – Variances for 7% Lot Coverage, 50' Area for Vegetative Buffer and 13.9 Acres Clearing:**

There was no one present for this application and there was no additional information provided.

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

**Appearance:**

None

There was discussion on miscellaneous zoning matters.

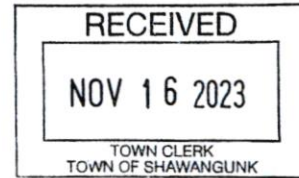
A motion was made by Mr. Russo and seconded by Mr. Reid to adjourn this meeting. Vote: Mr. Russo – Aye, Mrs. Wiand – Aye, Mr. Reid – Aye, and Mr. Arluck – Aye.

**Meeting Adjourned at 7:43 PM**

**Respectfully submitted,**

**Kathy Ebbrell  
Zoning Board of Appeals Secretary**

ZONING BOARD OF APPEALS  
TOWN OF SHAWANGUNK



*RW*

In the Matter of the Application of  
Darla Hall for an appeal and use variance  
for premises at 1460 Rt. 208 (106.5-1-35)

Decision

At a regular, duly noticed meeting of the Zoning Board of Appeals of the Town of Shawangunk, Ulster County, New York held at the Town Hall, Central Ave., Wallkill, NY 12589 on the 15<sup>th</sup> day of November, 2023, the following Resolution was moved by *REID*, seconded by *WIAND* and Members *Arlock, REID and WIAND*

voting in favor and zero (0) nays (one vacancy) and Member Russo abstaining was declared duly adopted.

WHEREAS, the following findings of fact hereby are determined:

1. This is an application for both an appeal of the Code Official's determination of April 25, 2023 and for a use variance to construct and occupy an Accessory Dwelling Unit for property known as 1460 Rt. 208, Wallkill, NY. The applicant seeks approval to convert a pre-existing, nonconforming detached garage to an Accessory Dwelling Unit (ADU).
2. The property is .68 of an acre and is situate on a corner lot with road frontage on three (3) sides – Rt. 208, Baumer Road and Chase Road.
3. The property contains a pre-existing, nonconforming two-family house with a pre-existing, nonconforming detached garage located within the required front yard. The applicant resides in one of the units in the two family house.
4. The property is located within the Hamlet of Wallkill Gateway Zoning District (HWG) where the Zoning Law prohibits new residential construction. Likewise, the HWG prohibits Accessory Dwelling Units. These uses are permitted accessory uses in six (6) other Zoning Districts in the Town subject to the standards set forth in the Zoning Law 177-23.2.
5. The minimum lot size in the HWG is one (1) acre without public water and sewer.