

ZONING BOARD OF APPEALS MEETING MINUTES - FINAL
WEDNESDAY, JULY 22, 2015

MEMBERS PRESENT:

Rocco Mancini, Chairman
Ingrid Kulick
Martin Otter
Phillip Zemke

MEMBERS ABSENT:

Stephanie Fitzpatrick

ALSO PRESENT:

Chairman Mancini opened the meeting at 7:00 p.m.

Public Hearings: None

Applications:

1. **Schwartz Area Variance** – Mr. Schwartz was present for his area variance application for a front yard setback to place a pool in front of the front building line of the principal dwelling unit 20 feet away from the front property line on property located at 618 Academy Hill Road, tax grid number 6572-00-919482. Mr. Schwartz said he has purchased an above ground pre manufactured pool from Swim King in Kingston with a 30 year warranty. He said there is only one suitable spot on the property to put the pool as the property is very hilly with a lot of bedrock. The only nice, flat area is between the house and the road. The house is positioned such that the front of the house is facing the side property line where the driveway comes in and the side of the house is facing the front line. Mr. Schwartz said he is requesting a variance from the front property line to the pool which is about 50 feet from the road and about 20 feet from the property line. He would like to have the pool installed in September. He said he is surrounded on three sides by Briggs Hollow Farm and to the north are two neighbors who are seasonal and only come up on weekends. Aside from that, there are no neighbors in the immediate area. Mr. Zemke said he would like a site plan with dimensions on it, a map drawn to scale showing dimensions. Mr. Schwartz said the pool is 19' x 31' and the fence will be on the pool. The pool will be 52 inches from ground to top of pool. The fence is an additional 36 inches. It has a retractable ladder and he will be installing a floating alarm. He said the pool is exactly as pictured on the brochure he submitted. The pool will be white. He said he is asking to reduce the front yard setback from 85 feet to 20 feet because the whole property is sloping, there is a septic system, hills and trees. This is the only level area on the property. The hardship is rocky terrain and slopes. Mr. Otter expressed concerned about the close proximity to the well and Mr. Schwartz said the pool people said that would not be an issue at all. When asked, Mr. Schwartz said the equipment for the pool is going under the deck. When asked if the equipment will make noise, Mr. Schwartz said he visited the same pool in Kingston and the equipment seemed quiet to him. Across the street is just woods. It is developed but it is a wooded area. The properties in this area are fairly large and heavily wooded. Mr. Zemke said he would like to do a site visit and the other Board members agreed. Mr. Schwartz agreed and said there is a blow up pool there now which is dead center to where this pool will go. Mr. Zemke also said

that he thinks a site plan that shows the exact distance from the property line is necessary. The map that has been submitted is from parcel access. It is not a surveyed map showing the exact location of the property line. Mr. Otter agreed, saying that the property line shown on parcel access is not necessarily the actual location of the property line.

Mr. Zemke said he thinks there is enough information to set a public hearing pending receipt of a more accurate site plan. Mr. Schwartz said he will drop off a better site plan on Wednesday or Thursday of next week.

Mr. Otter motioned to set the date for the public hearing for the Schwartz area variance for Wednesday, August 26th, pending receipt of a more detailed site plan. Ms. Kulick seconded. All aye. Motion carried 4-0. Mr. Schwartz said he will be away on that day but he would have the pool guys represent him. He will provide the authorization form.

Discussion Items:

- Kenneth Cole, who was not present, is considering selling a piece of his property located at 2 Old Mill Road, tax grid number 6371-08-962814 in the Hamlet zoning district and requested the Planning and Zoning Boards take a look at his proposal before he hires a surveyor to draw up the maps. Mr. Cole's property is bisected by Route 199. His house is on one side and the other side is vacant. Both pieces are substandard lots and Mr. Cole does not use the property on the other side of the road, the vacant piece. Steven Schreiber approached Mr. Cole to purchase that vacant piece at which time he would merge it with his adjacent parcel. This would require a lot line adjustment with the Planning Board and an area variance to Section 200-10.B, Space and Area Regulations, because it would make Mr. Cole's lot more non-conforming. The Board agreed that this proposal makes sense, eliminating a land hook over Route 199, stressing, however, that this is their opinion at this time based on the information at hand and is not a pre-approval. The Board will consider this application when it is submitted. The Clerk will convey this to Mr. Cole.

Administrative Items:

- **Approval of Minutes:** Mr. Zemke motioned that the Zoning Board of Appeals accept the minutes of the April 22, 2015 meeting as presented. Ms. Kulick seconded. All aye. Motion carried 4-0.

Mr. Zemke motioned to adjourn the meeting at 7:30 p.m. Mr. Otter seconded. All aye. Motion carried 4-0.

The next meeting will be held on Wednesday, August 26, 2015 at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board