

ZONING BOARD OF APPEALS MEETING MINUTES – FINAL
WEDNESDAY, OCTOBER 23, 2019

MEMBERS PRESENT:

Rocco Mancini, Chairman
Ingrid Kulick
John Schneider
Phillip Zemke

MEMBERS ABSENT:

Stephanie Fitzpatrick

ALSO PRESENT:

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

Public Hearings:

- 1. Cullen Area Variance** – Kathy Mondello, Mondello Real Estate, was present as the authorized representative for Tara Carbonaro, Executrix for the Estate of James Cullen, for their area variance application to allow an existing garage to remain in its current location in front of the front building line of the dwelling on an 8.67 acre parcel located at 11 Broadview Lane in the A5A zoning district, tax grid number 6572-00-244339. Chairman Mancini read the legal notice that was posted in the paper and sent to neighboring landowner and opened the public hearing. Ms. Mondello said this garage was put up by Bay Horse Gazebos in 2000. The house was built in the 80's. This is a two car, one story modular garage with electric on a dirt pad. The electrical inspection has been submitted to the building inspector. Ms. Mondello said she assumed because it was on the tax records that the garage was legal but then found out otherwise. Mr. Zemke said the only reason the variance is required is because the garage is placed in front of the front building line of the dwelling – it meets all of the required setbacks. Chairman Mancini drove by the site and said the garage is not visible at all from the road and is screened from the neighbors. It's a good place for the garage. There was no public comment.

Mr. Schneider motioned to close the public hearing. Ms. Kulick seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	aye		

Motion carried 4-0.

Chairman Mancini and the Board completed the Findings and Decision which state that an undesirable change would not be produced in the character of the neighborhood, the benefit sought by the applicant cannot be achieved by a feasible alternative to the variance because the garage has been there for 20 years, the requested variance is not substantial as the garage meets all the required setbacks, the variance would not have an adverse impact on the physical or environmental conditions in the neighborhood, and the alleged difficulty was not self-created. The Board determined that the benefit to the applicant does outweigh the detriment to the neighborhood and there were no conditions imposed on this variance.

Mr. Zemke motioned that the Zoning Board of Appeals accepts these Findings and Decision and grant the requested area variance. Ms. Kulick seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	aye		

Motion carried 4-0.

Applications:

1. **Dolan Area Variance** – Joan Dolan was present for her area variance application to construct a garage having a front setback of 20.9 feet and a side setback of 15.0 feet on her property located at 465 Spring Lake Road, tax grid number 6473-00-056878 in the A3A zoning district. The A3A zoning district requires an 85 foot front setback and a 35 foot side yard setback. Ms. Dolan said the garage will be 22 x 24 feet, 24 being the length as she has an old large car she wants to store in the garage. The garage will be even with the front building line of the house. Mr. Zemke asked if the DEC would be involved and the board concluded that if the building inspector thought it was necessary, he would send the application to the DEC. Ms. Dolan said the board is welcome to visit the property.

Mr. Schneider motioned that the Board declare the Dolan area variance application a Type II action under SEQRA requiring no further action. Mr. Zemke seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	aye		

Motion carried 4-0.

Mr. Zemke motioned that the Dolan application was complete and that the public hearing be scheduled for the November 20th Zoning Board of Appeals meeting. Ms. Kulick seconded.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	aye		

Motion carried 4-0.

Discussion Items/Correspondence:

- The board was reminded that anyone who needed education hours should try to attend the upcoming Dutchess Planning Federation short classes at the Farm and Home Center in Millbrook.
- The clerk will forward to the board the ZBA member whose term is up on December 31, 2019.

Administrative Items:

- **Approval of Minutes:** A motion was made by Mr. Zemke and seconded by Mr. Schneider that the Zoning Board of Appeals accepts the minutes of the September 25, 2019 meeting as presented.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	abstain		

Motion carried 3-0-1

A motion was made by Mr. Schneider and seconded by Ms. Kulick to adjourn the meeting at 7:30 p.m.

Rocco Mancini, Chairman	Aye	John Schneider	Aye
Stephanie Fitzpatrick	Absent	Phillip Zemke	Aye
Ingrid Kulick	Aye		

Motion carried 4-0.

The next regular meeting will be held on **Wednesday, November 20, 2019** at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board