

Town of East Fishkill

ZONING BOARD OF APPEALS

September 26, 2023

Chairperson Drummond called the Zoning Board of Appeals to order with a roll call. Those present were Alberto Paratore, Aziz Ahsan, Rocco Limitone, Art Mahony, and Norma Drummond. Matt Rickett, Zoning Administrator; and Jackie Keenan, Clerk, were also present.

Chairperson Drummond led the meeting with the Pledge of Allegiance.

CHAIRPERSON'S COMMENTS:

Chairperson Drummond stated that application #1 was not going to be discussed tonight but would be on for next month. The applicant will readvertise. The Engineer is now comfortable with the information that has been received and is ready to move forward. Number nine has been withdrawn by the applicant so that will not be discussed tonight as well. She also reminded each Board member that they are required to get four hours of training. Dutchess County Planning Federation does have some training sessions coming up. She believes there may even be some online.

Chairperson Drummond stated the next meetings would be Tuesday, October 24, 2023, and Tuesday, November 21, 2023.

MOTION made by Alberto Paratore, seconded by Aziz Ahsan, to approve the minutes of the meeting held August 22, 2023 as amended. Voted and carried unanimously.

Chairperson Drummond went through the procedures for the meeting. She stated that the first part of the meeting is Public Hearings, which are applications that this Board has already had the opportunity to review. Neighbors are then noticed and have the opportunity to tell the Board anything they may not be aware of. They know the property better than the Board may. The next part of this meeting will be reviews. These are generally the first time this Board has had the chance to see the application or they are applications that the Board has seen before, but needed additional information. After the review of the information, they will schedule it for a Public Hearing. There is no public comment on any reviews this evening. They will be given the opportunity to speak at the appropriate time. She reminded everyone that they are here because these are all requests for items that are not allowed by code.

ADJOURNED PUBLIC HEARINGS:**ADJOURNED PUBLIC HEARING – Appeal 4052 – Panny Industry Inc. (6555-00-363386)**

Panny Industry Inc., 256 Woodmont Rd. Hopewell Junction, is requesting a Special Permit in order to bring in 1,750 additional cubic yards of fill (total of 2,500 cubic yards less 375 per year for 2022 and 2023), pursuant to Section 194-75 of the Zoning Ordinance.

Chairperson Drummond stated this was not being addressed at this meeting. There was some additional information provided from the applicant to the Town and it is still being reviewed. Mr. Ahsan verified that this would be re-advertised and the cost would be from his escrow.

PUBLIC HEARINGS:**PUBLIC HEARING – Appeal 4069 – Jessica DeRosa (6358-02-858546)**

Jessica DeRosa, 867 Route 376, Hopewell Junction, is requesting a 126' front line, 93' left side, 61' right side and 9' rear line variance for an existing Doggie Day Care pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Jessica DeRosa was present.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated that the Board reviewed this application a few months ago. She congratulated Ms. DeRosa on her marriage. There is some questions regarding the location and some survey questions. She had originally come in for this business to be on Hosner Mountain and the Board heard all about the operation, but the site did not work out. She has been operating on the site on Route 376 at the rear of the building. There is a large parking lot area and a vacant lot next door as part of the site. They do have a fenced in area. Chairperson Drummond stated she walks by that site every single day several times and at various times of the day. She has only heard dogs barking one time in all the times she does walk by, so she does not see this as a nuisance issue. She stated there are lots of cars going in and out and lots of dogs at the parking area but they are all under control. She has heard from many people who absolutely love this operation due to the interview process and the care she takes to make sure that the dogs are the right fit. One thing she did want to clarify is the hours of operation. The Board was originally told they would be from 7 AM to 7 PM but she believes that the applicant meant that was when patrons would be allowed to stop in. Ms. DeRosa stated they do keep dogs overnight. It is more towards the summer and holidays that it happens. There is someone who stays overnight at all times to make sure there are no issues. Weekdays for people coming in at 7 AM to 7 PM and weekends is at 7:30 AM to 6:30 PM. Chairperson Drummond asked if there was a dog there consistently every night of the week and Ms. DeRosa said no. Chairperson Drummond asked at their busiest how many dogs will likely be there overnight. Ms. DeRosa stated a high time would be eight but the average is usually 2 to 3. There is at least one or possibly two staff members overnight depending on the amount of dogs. The dogs stay at the very back spot in the building to be farthest away from everybody.

Chairperson Drummond stated in the last month or so a pile of gravel has appeared. Because the applicant is in the middle of a review this Board needs to make comments about environmental impacts so the applicant cannot make any changes to the site while this is going on. The applicant is also before the Planning Board as they need site plan approval there as well. Nothing can happen with the pile of gravel at this point. Ms. DeRosa stated it will be draining rock for the backyard. They have had some drainage problems so it will go towards the back door to eliminate water going into the door. It will keep the dogs from running through a puddle before they come back in. Chairperson Drummond stated the other thing they talked about last time is that the fence is ugly. Mr. Rosa stated she did talk to the landscaper and anywhere that it is visible they will be planting tall plants that grow well that are deer resistant plants. There will be some shorter pretty plants along there as well.

Chairperson Drummond asked if there were any comments or questions from Board members. There were none.

She did state that the applicant is not being held to the business operation standards, they are being held to the kennel standards. She asked if the two lots were going to be combined into one and Mr. Rickett stated they have already been combined.

Chairperson Drummond asked if there were any comments or questions from the public. There were none.

Chairperson Drummond stated they could not close the Public Hearing at this point because they still need Planning Board approval. They had asked the Planning Board to do a coordinated review, so they have to circulate for lead agency. This Board needs to make a motion to allow the Planning Board to be lead agency for the site plan and the reviews. Mr. Rickett asked if the storage pod was still on site. Ms. DeRosa stated it is, but it belongs to the law office. Mr. Rickett asked if they had any idea what the plan for it is. Ms. DeRosa said no.

MOTION made by Rocco Limitone, seconded by Aziz Ahsan, to allow the Planning Board to be lead agency. Voted and carried unanimously.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to adjourn this Public Hearing until October 24, 2020. Voted and carried unanimously.

PUBLIC HEARING– Appeal 4079 – Volodymyr Kondzelko (6456-02-773978)

Volodymyr Kondzelko, 18 Kent Rd., Hopewell Junction, is requesting a 22' side line variance for a proposed 25'x16' (400 sf) detached garage and 5' front line variance for a proposed covered front porch pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Volodymyr Kondzelko was present.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated that the Board reviewed this application last month. There is an existing house with an existing air conditioning compressor that they are going to cleanup. The applicant is proposing to add a covered front porch to the front of the house. There is a shed in the back that will be kept for now but the applicant has stated that what is in the shed will be going into the garage eventually. They're going to give the variance for that in case he decides to replace it at a later date. He couldn't shrink the size of the garage down because he does want some storage space in it. She asked what type of finish the garage was going to be. The applicant stated it will be hardie clapboard siding that will be the same color as the house. Chairperson Drummond asked how high the garage was and the applicant stated they are 8 foot high walls. It will be one-story with no residential use in this.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

Chairperson Drummond asked if there was anyone else from the public to speak for or against this application. There was no one.

MOTION made by Rocco Limitone, seconded by Aziz Ahsan, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4079

APPLICANT: Volodymyr Kondzelko

NAME OF PROJECT: (i) A 22' side line Variance from the requirements of Section 194-107 of the Town Code and the Schedule of Bulk Regulations for a proposed 25'x16' (400 s.f.) detached garage; (ii) a 5' side line Variance from the requirements of the Schedule of Bulk Regulations for an existing A/C condenser and dwelling; (iii) a 5' front line Variance from Section 194-94 of the Town Code and the Schedule of Bulk Regulations for a proposed covered front porch; and (iv) a 3' rear line Variance from the requirements of Section 194-107 and the Schedule of Bulk Regulations for an existing shed (the "Variances")

LOCATION: 18 Kent Rd., Hopewell Junction (the "Property")

TAX MAP NUMBER: 6456-02-773978

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member: Aziz Ahsan

WHEREAS, the Property is undersized for the R-1 Zone and it was built in the 1960s; and

WHEREAS, many of the neighboring properties are also undersized; and

WHEREAS, the Property currently does not contain a garage; and

WHEREAS, the proposed garage would be used for additional storage; and

WHEREAS, the proposed covered front porch would protrude into the front yard less than homes on neighboring properties; and

WHEREAS, this is a Type II action under SEQRA, and no further review is required; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on September 26, 2023; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on September 20, 2023; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variances will not produce an undesirable change in the character of the neighborhood as the Property will remain residential in nature;

Board Member Alberto Paratore Aye

Board Member Art Mahony Aye

Chairperson Norma Drummond Aye

PUBLIC HEARING –Appeal 4080 – Timothy Williams (6457-01-255843)

Timothy Williams, 535 Route 376, Hopewell Junction, is requesting a 2’ side line variance and a 20’ rear line variance for a proposed 24’x16’ (384 sf) 1st floor and (336 sf) 2nd floor total (720 sf) 2 story detached garage pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Garrett Leggett was present.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated they reviewed this application last month. There were additional variances that were noted on the plan that had to be added. The lot coverage exceeds the percentage of what is allowed because these are smaller lots. It is slightly visible from the Rail Trail. There is a garage in the back that is not in good shape. Mr. Leggett stated that is coming down. One end of the garage will be lined up with what is currently there. He stated they are definitely looking to clean up the site. It will be replaced with the same hardie board siding and PVC trim to match the house. Chairperson Drummond asked if this was a two family house. Mr. Leggett stated it is a single-family house. Chairperson Drummond verified that the garage was going to have any residential use and Mr. Leggett said the no, the house doesn't have very many closets so the garage will be used for storage. Chairperson Drummond stated the homes on Bridge Street are very close to the road but the board recognized that the front porch needed to be cleaned up.

Chairperson Drummond asked if there were any questions or comments from Board members. Mr. Ahsan stated he did a site visit and the house does need some renovations and cleanup. He is happy that they are doing improvements.

Chairperson Drummond asked if there was anyone else from the public to speak for or against this application.

Jeanne Marie Robinson, from 537 Route 376, stated her concern is how long it will take the work to be completed. She stated he has a habit of starting work and not completing the projects. His friends come in to help with the work, but it does not get completed. He has ripped the siding off of three quarters of the house and left it like that. It is an eyesore to look at. She asked if there was some kind of a time limit that could be imposed. Chairperson Drummond stated there is a building permit that is required but it can be extended. Mr. Rickett stated it could be renewed indefinitely. Mr. Leggett stated the owner did mention he was going to have a contractor friend help him do this. Chairperson Drummond stated this is the second house in from the rail trail so it is very visible. Mrs. Robinson said her concern is that this is who did the work with the siding. There are stockpiles of garbage and debris from that project that has not been completed. Chairperson Drummond stated they need to get his attention to this because they do not want to start another project and not finish it. Chairperson Drummond asked when he was going to start this and Mr. Leggett said he wants to start as soon as possible. Chairperson Drummond asked if he has laid the pad down and Mr. Leggett said not yet because that is where the original garage is. He needs to start taking that down, and Mr. Leggett has been told he has people lined up to do it. Chairperson Drummond asked when he is going to finish the existing house. Mr. Leggett stated he would imagine it would be done congruently with the change of the garage. He can try to plead with the applicant for this.

Chairperson Drummond asked Mr. Rickett if there were open permits on this application. Mr. Rickett said no. They have pulled off the siding and did not get a permit. Mr. Ahsan stated that that requires a permit and if one was not pulled, this applicant is in violation. They cannot move forward. Mr. Rickett stated he will also need a permit when he starts the garage. Ms. Robinson stated that was one of her concerns. He pulled the siding down with his friends and these are all older houses. It was done probably around two years ago. He seems to do one side of the house at a time. She is concerned about possible asbestos. Mr. Limitone asked if the house had no siding for two years. Ms. Robinson stated in the back it was probably pulled off between nine months and a year ago. The front and the two sides are now newly sided.

Chairperson Drummond stated technically there is not a violation but he didn't pull a permit to do the work. She stated she believes he should be required to pull a permit for the siding to show good faith that he is going to continue, and that will give him a theoretical deadline. Chairperson Drummond suggested the applicant appear before the Board at the next meeting to show good faith that he is going to complete this project.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to adjourn this Public Hearing to the October 24, 2023 meeting. Voted and carried unanimously.

PUBLIC HEARING – Appeal 4081 – Kristoffer Dursee (6457-03-259470)

Kristoffer Dursee, 10 Fishkill Rd., Hopewell Junction, is requesting a 49' rear line variance for a proposed air conditioning condenser pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Kristoffer Dursee was present.

MOTION made by Rocco Limitone, seconded by Aziz Ahsan, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated this house is at the end of Fishkill Road at Route 82. There are train tracks behind him and it is a very long and narrow lot. Mr. Dursee stated it is only about 30 feet with the house and then an embankment down to the road and the embankment down to the tracks. There is no other place to put this condenser. Chairperson Drummond stated they are not impacting anyone behind them and it will not be seen by anyone.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

Chairperson Drummond asked if there was anyone else from the public to speak for or against this application. There was no one.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4081

APPLICANT: Kristoffer Dursee

NAME OF PROJECT: A 49' rear line Variance from the Schedule of Bulk Regulations for a proposed air conditioning condenser

LOCATION: 10 Fishkill Rd., Hopewell Junction (the "Property")

TAX MAP NUMBER: 6457-03-029470

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member: Alberto Paratore

WHEREAS, the Applicant has an extremely long and thin lot; and

WHEREAS, the Property runs parallel to Fishkill Road throughout its entire length; and

WHEREAS, due to layout of the Property, anything added would require a Variance; and

WHEREAS, the rear of the Property is bordered by a wooded area; and

WHEREAS, this is a Type II action under SEQRA, and no further review is required; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on September 26, 2023; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on September 20, 2023; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variance will not produce an undesirable change in the character of the neighborhood as the Property will remain residential in nature;

The desired result could not be achieved by other means due to the layout of the Property;

The Variance could be deemed substantial, but the Applicant lacks viable alternatives given the layout of the lot;

The Variance will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby approves the request from Kristoffer Dursee for a 49' rear line Variance from the Schedule of Bulk Regulations for a proposed air conditioning condenser.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member: Rocco Limitone

The votes were as follows:

Board Member Aziz Ahsan Aye

Board Member Rocco Limitone Aye

Board Member Alberto Paratore Aye

Board Member Art Mahony Aye

Chairperson Norma Drummond Aye

PUBLIC HEARING – Appeal 4082 - Silva & Antonio Mlakar (6457-01-321510)

Silva & Antonio Mlakar, 4 Candy Ln., Hopewell Junction, requesting a 23’ front line variance for a proposed front covered porch and addition pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Silva Mlakar and Steve Whalen were present.

MOTION made by Rocco Limitone, seconded by Aziz Ahsan, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated they did have the opportunity to review this application last month. This is on Candy Lane behind the CVS Plaza. They are proposing to put a porch across the entire front of the home. There would be one corner with the squared off. They are proposing a small addition there to add a little more living space. They are also proposing an addition in the back to square off the back. There will be no additional bedrooms added onto this, just an additional powder room. They are just cleaning this application up. Chairperson Drummond feels this is in line with other homes on the street. She asked if it was going to be closer to the road than the other homes. Ms. Mlakar stated it was about the same distance as the other homes.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

Chairperson Drummond asked if the shed on the side was being removed. Clerk Keenan stated they have a variance for that. Mr. Rickett asked if they still had the storage pod on site. Ms. Mlakar said yes. She stated the house is very small on the inside and they are doing renovations on the inside as well. It is being used to temporarily hold things. It should only be there a few months until everything is completed. Mr. Rickett stated it should be there no more than 3 to 4 months. Chairperson Drummond stated as long as they are doing active renovations it is acceptable, but it needs to be removed as soon as they are done.

Chairperson Drummond asked if there was anyone else from the public to speak for or against this application. There was no one.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4082

APPLICANT: Silva & Antonio Mlakar

NAME OF PROJECT: A 23' front line Variance from the Schedule of Bulk Regulations and Section 194-94 of the Town Code for a proposed front covered porch and addition

LOCATION: 4 Candy Ln., Hopewell Junction (the "Property")

TAX MAP NUMBER: 6457-01-321510

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member: Rocco Limitone

WHEREAS, the Applicant is located on an undersized lot for its zoning district; and

WHEREAS, the front of the house is a similar distance from the road as the neighboring properties; and

WHEREAS, the Applicant is seeking to use the proposed, new area for a kitchen and powder room; and

WHEREAS, the new construction will use the same siding as the remainder of the house; and

WHEREAS, this is a Type II action under SEQRA, and no further review is required; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on September 26, 2023; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on September 20, 2023; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variance will not produce an undesirable change in the character of the neighborhood as the front of the house is similar to neighboring properties;

The desired result could not be achieved by other means due to the layout of the Property;

The Variance could be deemed substantial, but the Applicant lacks viable alternatives given the size of the lot;

The Variance will not have an adverse effect or impact on the physical or environmental conditions;

Susan Watkiss, 21 Zerner Blvd. Hopewell Junction, requesting a 3’ side line variance for a proposed 2 story attached garage with living space above pursuant to the Schedule of Bulk Regulations of the Zoning Code.

Jason Lichwick was present.

MOTION made by Aziz Ahsan, seconded by Alperto Paratore, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated they did have the opportunity to review this application last month. The applicant is proposing to put in a garage with a second story that would be connected by a breezeway. It would allow for a bedroom suite. She is not changing the septic, so instead one of the existing bedrooms will be made into a den. This will allow her to have additional space like a master suite for the bedroom.

Chairperson Drummond asked if the siding was going to match the house. Mr. Lichwick said yes. They are proposing to change all of siding on the house.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

Chairperson Drummond asked if there was anyone else from the public to speak for or against this application.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4083

APPLICANT: Susan Watkiss

NAME OF PROJECT: A 3’ side line Variance from the Schedule of Bulk Regulations for a proposed 2 story attached garage with living space above

LOCATION: 21 Zerner Blvd., Hopewell Junction (the “Property”)

TAX MAP NUMBER: 6357-02-851528

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member: Art Mahony

WHEREAS, the Applicant seeks additional garage space for storage and living space above to make renovations to her home; and

WHEREAS, this is a Type II action under SEQRA, and no further review is required; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on September 26, 2023; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on September 20, 2023; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variance will not produce an undesirable change in the character of the neighborhood as the Property will remain residential in nature;

The desired result could not be achieved by other means due to the layout of the Property;

The Variance is not substantial;

The Variance will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby

Fausto Macao, 271 Oak Ridge Rd., Hopewell Junction, requesting a 280 sf size variance for an existing accessory unit larger than 1,000sf pursuant to Chapter 194-91 Zoning Ordinance.

Fausto Macao was present.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated they did have the opportunity to review this application last month. It is an existing two-family house. The existing apartment has been taxed that way for years. It's just time to clean up the site. The applicant wants to continue with it like this. It physically has a larger space than what the code now allows, but the unit existed before the code for accessory apartments did. Nothing is really going to change. The use will be continued as it has been. Mr. Macao stated they will be changing the windows to put in egress windows.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

Chairperson Drummond asked if there was anyone else from the public to speak for or against this application.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing. Voted and carried unanimously.

APPEAL NUMBER: 4084

APPLICANT: Fausto Macao

NAME OF PROJECT: A 280 s.f. variance from the requirements of Section 194-91 of the Town Code for an existing accessory apartment larger than 1,000 s.f.

LOCATION: 271 Oak Ridge Rd., Hopewell Junction (the "Property")

TAX MAP NUMBER: 6457-02-848585

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member: Aziz Ahsan

WHEREAS, historically, the Property has had an accessory apartment; and

WHEREAS, the Property is classified in the assessment records of the Town as a two-family home; and

WHEREAS, the Applicant applied to the Town for permits to legalize the historical use; and

WHEREAS, this is a Type II action under SEQRA, and no further review is required; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on September 26, 2023; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News September 20, 2023; and

WHEREAS, the Zoning Board of Appeals finds that:

The granting of the Variance will not produce an undesirable change in the character of the neighborhood as the Property has historically had an accessory apartment;

The desired result could not be achieved by other means due to the layout of the existing structure;

The Variance is not substantial;

The Variance will not have an adverse effect or impact on the physical or environmental conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals hereby approves the request from Fausto Macao for a 280 s.f. variance from the requirements of Section 194-91 of the Town Code for an existing accessory apartment larger than 1,000 s.f.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member: Rocco Limitone

The votes were as follows:

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| Board Member Aziz Ahsan | Aye |
| Board Member Rocco Limitone | Aye |
| Board Member Alberto Paratore | Aye |
| Board Member Art Mahony | Aye |
| Chairperson Norma Drummond | Aye |

REVIEWS:

REVIEW – Appeal 4075 – Kristina Thomsen & Geurys Lopez (6357-03-453423)

Kristina Thomsen, 39 Elk Rd., Hopewell Junction, is requesting a 3’ side line and 10’ rear line variance for a proposed 300 sf deck pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

No one was present.

This application has been pulled for this evening.

REVIEW – Appeal 4085 – Matthew Palladino (6357-01-413631)

Matthew Palladino, 42 Julie Drive, Hopewell Junction, is requesting an 18’ sideline variance for a proposed 28’ x 14’ (392 sf) detached garage pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Nicole Palladino was present.

Mrs. Palladino stated her husband has submitted all the information to the Building Inspector. He is looking to put up a one bay garage for storage. It is basically a shed but because it has a garage door on it, it has to be classified as a garage. Mr. Rickett did verify that information.

Chairperson Drummond asked what the finish was going to be. Mrs. Palladino stated it will match the house. It will not really be visible from the neighbors. Chairperson Drummond asked if the screening was on the applicant’s property or the neighbor’s property. Mrs. Palladino stated she believes it is on their side. Mr. Rickett stated all three sides of the backyard are well screened. He did supply photos. Mr. Rickett stated he also closed out the permit for the generator.

Chairperson Drummond asked what the floor was going to be. Mrs. Palladino was unsure. Mr. Rickett stated it may be in his packet.

Chairperson Drummond asked if she has spoken to her neighbors yet. Mrs. Palladino said yes.

Mr. Ahsan asked about an existing canopy on the property. Mrs. Palladino stated that is a covered area where firewood is stored. It is really just a lean-to.

Chairperson Drummond asked if there were any questions or comments from Board members.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to advertise and set this for Public Hearing for the October 24, 2023, meeting. Voted and carried unanimously.

REVIEW – Appeal 4086 – Robert Kalter (6556-00-067160)

Robert Kalter, 89 Townsend Road, Hopewell Junction, requesting a 450 sf size variance for a proposed 40' x30' (1,200 sf) detached garage pursuant to the Schedule of Bulk Regulations of the Zoning Ordinance.

Robert and Diane Kalter were present.

Chairperson Drummond stated the size of this garage is as large as the house. Mr. Kalter stated he has a lot of cars. He stated it will be for storage of classic cars. He stated they used to have four hot rods now they have 3 and their daily driving cars. He stated he does not buy and sell cars. He just likes to collect them. When they downsized they did sell two.

Chairperson Drummond asked if they have spoken with their neighbors. Mr. Kalter stated his only neighbor is his nephew, and he is all for it as he has a classic car as well and is hoping to store that car in this garage.

Chairperson Drummond asked what type of building this was going to be and if it was going to be one or two stories. Mr. Kalter stated it will be one-story. Mrs. Kalter said it will be nice. Mr. Kalter stated he is leaning towards a metal building because it is quicker and faster but his wife likes wooden buildings. Chairperson Drummond stated this is a large building to be metal. Mr. Kalter stated he was a contractor and he promises it will be nice. He will put decorative stone in front. Mr. Rickett stated he did include renderings.

Chairperson Drummond asked why the doors are so high. Mr. Kalter stated those were the standard doors but he does not like them that high. He stated he wants to go 10 feet wide but only 9 feet high. He stated there will also be Dutch Corners. Mrs. Kalter stated she does not want a commercial look.

Chairperson Drummond asked if there would be windows on the side of it and Mr. Kalter said yes. He stated this building will not be insulated except for the roof because the building is swept. They put in thin barrier of film for insulation on the roof to keep the condensation down.

Chairperson Drummond asked if it was going to have a solid foundation. Mr. Kalter stated it will be a concrete pad on grade with one foot haunches. Mr. Rickett asked if the foundation has been poured already and Mr. Kalter said no. There is some Item 4 that has been graded.

Mr. Ahsan stated he thought there was a separate regulation for metal buildings and structures. Mr. Rickett stated that he is not aware of any. He stated that the applicant does have a fabric structure up. Mr. Kalter stated that is temporary just to put one car in, but it sweats and the water keep dripping on the car. They keep their lawnmowers in there now, but it will not stay there long. Those will be moved into the garage.

Mr. Limitone asked if the metal gets painted. Mr. Kalter said yes, and he will try to match the house as close as possible. He stated the only way to get a full set of plans was to order the building. Then he will get a set of New York State approved plans, but they wanted to make sure they could get approval for the building before they ordered the plans.

Chairperson Drummond stated they were concerned that all the dimensions were not shown on the drawing but now she can't see which dimensions they are missing. Mr. Kalter stated he has plenty of setbacks for the building. There are almost 2 acres back there. Chairperson Drummond asked why it is so far back. If they move it forward, they could reduce one of the variances. Mr. Kalter stated that way it is not as visible from the road. The property goes up in the back. If it goes back further it will be up higher. The septic system is towards the front so he does not want to be near that.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to advertise and set this for Public Hearing for the October 24, 2023, meeting. Voted and carried unanimously.

ADJOURNMENT

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to adjourn the Zoning Board meeting at 8:04 PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary