

Town of East Fishkill

ZONING BOARD OF APPEALS

November 26, 2024

Chairperson Drummond called the Zoning Board of Appeals to order with a roll call. Those present were Alberto Paratore, Aziz Ahsan, Art Mahony, Rocco Limitone, and Norma Drummond. Michael Cunningham, Esq., Town Attorney; 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 started by stating this is the last meeting of the year and she wanted to thank the Board members for their diligence, attendance, and participation. This is her 25th year of serving on some board in East Fishkill. This Board works well together, and it is a pleasure working with each of them. She thanked the professionals who also work with and support the Board for their time. She wished everyone a Happy Thanksgiving, Happy Holidays, Merry Christmas, and Happy New Year.

She stated the next meeting will be in January. If there is bad weather and the Town Hall is closed, the meeting will be cancelled. It will not be postponed or rescheduled. Everything on that agenda will be moved to the next month and she asked if anyone is scheduled for a Public Hearing for that night, that they change the date on their sign to the next meeting date.

Chairperson Drummond stated that the next meetings would be Tuesday, January 28, 2025, and Tuesday, February 25, 2025.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to approve the minutes of the meeting held October 22, 2024, as amended. Voted and carried unanimously.

Chairperson Drummond went through the procedures for the meeting. The only thing on the agenda for this meeting is two reviews. This is the first time the Board is seeing these applications. There is no public comment on them at this time, as the neighbors will be noticed when they go to Public Hearing.

REVIEWS:

1. REVIEW – Appeal 4127 – Anuj Singh & Curtis Blalock (6356-03-238185)

Anuj Singh & Curtis Blalock, 5 Old Grange Rd., Hopewell Junction, requesting an 11’ side yard variance for a proposed 24’X 26’ (624sf) detached garage pursuant to Section 194-107 and the Schedule of Bulk Regulations. Footprint of existing house is 1,731.

Chris Zivica was present.

Mr. Zivica stated they are requesting an 11-foot side yard variance for a proposed 24’ x 26’ detached garage. The owner of the property next door is Rainbow Pools and does not have any issues with this.

Chairperson Drummond asked what direction the house faced, and Mr. Zivica stated it is facing southwest. Chairperson Drummond asked if she is on Old Grange Road, what is she looking at. Clerk Keenen stated it is the side of the house. Chairperson Drummond stated the garage will be in the front of the house and they are not requesting a front yard variance. She asked Attorney Cunningham what the front line of the house was. Attorney Cunningham stated the front line is where the door faces. It does need a front yard variance as it is in front of the front line of the house. Mr. Zivica stated it is in front of the patio, not the house. Attorney Cunningham stated it will also need the sideline variance.

Chairperson Drummond asked why it was being requested for this location and why not be put someplace else. Mr. Zivica stated he did not know a lot of the details as he was brought on at the last minute in lieu of the owners coming in. All they told him is that Rainbow Pools was fine with them putting it there. Chairperson Drummond stated for this Board to grant a variance they need to understand

why it needs to be here and what their other options are. Mr. Limitone stated it looks like it might be difficult to put it someplace else, and it looks like it is being put at the end of the driveway. Chairperson Drummond stated it is not going at the end of the driveway. If it did, it would be further in from the sideline and eliminating the need for that variance and it would be more in front of the house. Mr. Mahony stated on the older survey there is a dirt berm and a play area behind where the garage is going to be. That is not on the new survey.

Chairperson Drummond asked what it was going to look like. Mr. Zivica stated there is a drawing on the site plan. Chairperson Drummond asked if it was going to match the exterior of the house. Mr. Zivica said yes.

Chairperson Drummond asked if it had a second floor and how high it was. Mr. Zivica stated there is only one level and it is 18 feet for overall height to the roof line. He stated the garage space is 8 feet and then there is a 7'8" space above that. That will just be open storage. Chairperson Drummond asked if it was going to be a second floor or just joists. Mr. Zivica said it will have a floor for storage. Chairperson Drummond asked if there would be stairs to the second floor. Mr. Zivica said no. There would possibly be a railing with access to get up there for parcel storage. Chairperson Drummond stated a railing normally accompanies stairs, but she asked if there were going to be stairs and Mr. Zivica said no. Mr. Zivica stated that drawing does not show stairs going up.

Mr. Ahsan stated he does not believe this application is ready for Public Hearing. The Board needs more information. There were too many open issues.

Attorney Cunningham suggested that Mr. Zivica call the Planning Board before the next meeting, and they could possibly help guide the applicants as to what is needed to move forward.

Mr. Ahsan stated he will do a site visit. He also suggested that the applicant had a larger picture with measurements on it so that they can see it. Clerk Keenan stated it was sent to her electronically and she can make bigger copies for the Board to get.

2. REVIEW - Appeal 4128 – Lacey Roosa & Luke Kohlmaier (6458-02-878584)

Lacey Roosa & Luke Kohlmaier, 1281 Route 82., Hopewell Junction, requesting a 7' rear yard variance for an existing 12'6"X12'6" (306.25sf) shed pursuant to Section 194-107 and the Schedule of Bulk Regulations.

Luke Kohlmaier was present.

Chairperson Drummond asked if this was an existing shed or if the applicant put it up and Mr. Kohlmaier stated he put it up. He stated he put it up approximately a year ago. Chairperson Drummond asked why it was put in this location. Mr. Kohlmaier stated this is the flattest location. He thought his property line went from corner post to corner post and then got his survey and it showed that he did not own as far back as he thought. Chairperson Drummond stated if his property did go straight across like most properties do, he would have easily had another 20 feet. She asked if there was a vegetative line behind his shed or if the neighbor could see it. Mr. Kohlmaier stated he installed a berm and trees. This time of year it might be visible. It is a light green that matches the house.

Chairperson Drummond asked if he had spoken to his neighbors about this and Mr. Kohlmaier said yes.

Mr. Rickett stated the original application to the Building Department was from November of 2022. Mr. Kohlmaier stated the shed may have been up for two years. He has a five-year-old, a three-year-old, and two 9-month-olds so he loses track of time. Mr. Rickett stated there is a lot of screening on all sides of it.

Chairperson Drummond stated with minimal visibility to the neighbors, and it not being visible from the roadway, there are not as many concerns.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to schedule this application for a Public Hearing. Voted and carried unanimously.

ADJOURNMENT

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to adjourn the Zoning Board meeting at 7:22 PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary