

Town of East Fishkill

**ZONING BOARD OF APPEALS**

February 25, 2025

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 stated the next meetings will be on Tuesday, March 25, 2025 and Tuesday, April 22, 2025. 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 the minutes from the January 28, 2025 meeting will be held over for approval at the next meeting.

Chairperson Drummond went through the procedures for the meeting. There are four items on the agenda and they are all Public Hearings. These 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. She stated all applicants are here because they are asking for something that is not allowed by code, and the Board needs to consider if there is some special circumstance for each individual property that would require a special consideration and a variance.

**PUBLIC HEARINGS:****1. PUBLIC HEARING – Appeal 4127 – Anuj Singh & Curtis Blalock (6356-03-238185)**

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

**David Freeman was present.**

**MOTION** made by Rocco Limitone, seconded by Aziz Ahsan, to open this Public Hearing.

Voted and carried unanimously.

Chairperson Drummond stated they did review this application last month. The only neighbors nearby are Rainbow Pools and the cemetery. This is for a garage in front of the house. The whole back of the property is basically wetlands so there is no other place to put it. The house has no garage currently. This is for a standard size garage.

Chairperson Drummond asked if there were any questions or comments from the Board. Mr. Ahsan stated he did a site visit and with Rainbow Pools on one side and the cemetery on the other he does not see an issue with this. Mr. Limitone stated he also did a site visit and has no concerns.

Chairperson Drummond asked if there was anyone from the public who had any questions or comments. There was no one.

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing.

Voted and carried unanimously.

APPEAL NUMBER: 4127

APPLICANT: Anuj Singh & Curtis Blalock

NAME OF PROJECT: A Front Yard Variance from the requirements of Section 194-107 of the Town Code and the Schedule of Bulk Regulations for a proposed 24'x 26' (624 s.f.) detached garage

LOCATION: 5 Old Grange Road, Hopewell Junction (the "Property")

TAX MAP NUMBER: 6356-03-238185

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member Aziz Ahsan

**WHEREAS**, the Applicant selected the location of the detached garage due to wetlands being located in other areas of the Property; and

**WHEREAS**, the detached garage will contain attic space for storage, but it will not be used for residential purposes; and

**WHEREAS**, the footprint of the existing house is 1,731 square feet, and no size variance is needed; and

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

**WHEREAS**, the Legal Notice was published in the Southern Dutchess News on February 19, 2025; and

**WHEREAS**, the Zoning Board of Appeals held a Public Hearing on February 25, 2025; 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 community since the garage will be screened by trees and the neighbors consist of a commercial business and a Church with a cemetery;

The desired result cannot be achieved by other means due to the existing wetlands on 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 approves the request by Anuj Singh & Curtis Blalock for a Front Yard Variance from the requirements of Section 194-107 of the Town Code and the Schedule of Bulk Regulations for a proposed 24'x 26' (624 s.f.) detached garage.

**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
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Board Member Rocco Limitone	Aye
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Board Member Alberto Paratore	Aye
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Chairperson Norma Drummond Aye

Wayne & Colleen Karabinos, 14 Pleasant Hill Rd., Hopewell Junction, requesting a 76 sf size variance for a proposed 28'X 30' (840sf) detached garage pursuant to Section 194-107 and the Schedule of Bulk Regulations. Footprint of existing house is 1,274.

Voted and carried unanimously.

Voted and carried unanimously.

Appeal # 4129

APPLICANT: Wayne & Colleen Karabinos

NAME OF PROJECT: A 76 s.f. size Variance from the requirements of Section 194-107 of the Town Code for a proposed 28'x30' (840 s.f.) detached garage; and a 1 foot Rear Yard Variance from the requirements of Section 194-107 and the Schedule of Bulk Regulations for an existing shed (collectively the "Variances")

LOCATION: 14 Pleasant Hill Road, Hopewell Junction (the "Property")

TAX MAP NUMBER: 6559-04-518225

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member Alberto Paratore

**WHEREAS**, the Applicant is proposing a 28'x30' (840 s.f.), one-story detached garage; and

**WHEREAS**, the footprint of the house is 1,274 s.f., so the maximum size of the detached garage without obtaining a size Variance would be 764 s.f.; and

**WHEREAS**, the Applicant will consolidate many existing items at the Property into the proposed detached garage; and

**WHEREAS**, there is an existing shed with an overhang requiring a minor Rear Yard Variance of one foot; and

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

**WHEREAS**, the Legal Notice was published in the Southern Dutchess News on February 19, 2025; and

**WHEREAS**, the Zoning Board of Appeals held a Public Hearing on February 25, 2025; 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 community since the garage will result in fewer items on the Property, and the shed is already existing;

The desired result could be achieved by other means, but the Variances are minor;

The Variances are not substantial;

The Variances 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 by Wayne & Colleen Karabinos for a 76 s.f. size Variance from the requirements of Section 194-107 of the Town Code for a proposed 28'x30' (840 s.f.) detached garage; and a 1 foot Rear Yard Variance from the requirements of Section 194-107 and the Schedule of Bulk Regulations for an existing shed.

**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

### **3. PUBLIC HEARING – Appeal 4130 – Coremark Hopewell, LLC (6457-01-210545)**

Coremark Hopewell LLC, 793 Route 82., Hopewell Junction, requesting a 7% lot coverage variance, a total signage variance of 42.3 sf, a variance for an additional wall sign, a 42.3 sf variance for total wall signage, a 2' variance for wall sign height, a variance for two additional freestanding signs, and 24' variance from the front yard landscaping requirement and a 10' variance from the side yard landscaping requirement pursuant to Section 194-116 and Chapter 153.

**Matt Checca, Zachary Chaplin, et al. were present.**

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing.

Voted and carried unanimously.

Chairperson Drummond stated they did review this application last month. She also did a site visit. This is the old William Tells site. There is a landscape buffer at the two immediate properties to the right but from there over to the bank there is no landscape buffer. She does not have a problem with the signage. She stated this is a coordinated review with the Planning Board and they are also doing their own Public

Hearing. She did state the applicant is trying to fit a lot on the site but that is for the Planning Board to handle. Clerk Keenan stated the Planning Board did adopt a Negative Declaration and held their Public Hearing on March 18.

Mr. Limitone stated the applicant is asking for a lot of variances. Chairperson Drummond stated most of these are signage. They are also asking for a lot coverage and the landscape buffer. The previous applicants was not able to make their application work on the site. The Town does want to encourage downtown businesses coming in. She did state that she does not feel this is out of line with the neighboring properties as most of them do not have landscaping in the front.

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

Mr. Ahsan asked if the bank was going to move from its current location and the applicant stated that they are losing their lease and they will be moving. Mr. Ahsan stated he also does not have a problem with them having no road front landscaping, as a lot of the other properties don't either.

Mr. Limitone stated that parking was an issue for the prior applicant. Mr. Ahsan stated that the bank moving will make the post office happier as people tend to park in their parking lot to use the bank. He stated that they are not likely to have a parking lot full of cars at the same time. Mr. Limitone stated he did do a site visit and feels it is a tight fit, but will be a good use of the property. He did ask about employee parking and Mr. Ahsan stated it will probably only be in the back.

Mr. Mahony stated the bank would have more spaces than they have at their current location.

Chairperson Drummond asked if there was anyone from the public who had any questions or comments. There was no one.

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing.

Voted and carried unanimously.

4130

APPLICANT: Coremark Hopewell, LLC

NAME OF PROJECT: A 7% lot coverage Variance from the requirements of the Schedule of Bulk Regulations; a 43 s.f. Variance from the requirements of Chapter 153 of the Town

Code for total signage; a Variance from the requirements of Chapter 153 for an additional wall sign; a 43 s.f. Variance from the requirements of Chapter 153 for total wall signage; a 2' Wall Sign Height Variance from the requirements of Chapter 153 of the Town Code; a Variance from the requirements of Chapter 153 for two additional freestanding signs; a 24' Variance from the requirements of Section 194-116 of the Town Code for front yard landscaping requirements; and a 10' Variance from the requirements of Section 194-116 of the Town Code for side yard landscaping requirements (collectively the "Variances")

LOCATION: 793 Route 82(Main Street), Hopewell Junction (the "Property")

TAX MAP NUMBER: 6457-01-210545

ZONING DISTRICT: B-2

Resolution offered by Zoning Board Member Rocco Limitone

**WHEREAS**, this is the Property that formerly contained William Tell Hardware; and

**WHEREAS**, Chase Bank has applied to the Planning Board to build a new branch; and

**WHEREAS**, the Applicant applied to the ZBA to obtain necessary Variances; and

**WHEREAS**, this is an Unlisted Action under SEQRA, and the ZBA did not object to the Planning Board serving as Lead Agency; and

**WHEREAS**, the Planning Board issued a Negative Declaration at its February 18, 2025 Meeting; and

**WHEREAS**, the Legal Notice was published in the Southern Dutchess News on February 19, 2025; and

**WHEREAS**, the Zoning Board of Appeals held a Public Hearing on February 25, 2025; 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 community since the surrounding area is commercial and the proposal is in conformance with the use and bulk of the neighboring parcels;

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

Some of the Variances are substantial, but any visual impacts have been mitigated by the architectural designs proposed by the Applicant;

The Variances 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 by Coremark Hopewell, LLC for a 7% lot coverage Variance from the requirements of the Schedule of Bulk Regulations; a 43 s.f. Variance from the requirements of Chapter 153 of the Town Code for total signage; a Variance from the requirements of Chapter 153 for an additional wall sign; a 43 s.f. Variance from the requirements of Chapter 153 for total wall signage; a 2' Wall Sign Height Variance from the requirements of Chapter 153 of the Town Code; a Variance from the requirements of Chapter 153 for two additional freestanding signs; a 24' Variance from the requirements of Section 194-116 of the Town Code for front yard landscaping requirements; and a 10' Variance from the requirements of Section 194-116 of the Town Code for side yard landscaping requirements (collectively the "Variances") .

**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 Aziz Ahsan

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

**4. PUBLIC HEARING – Appeal 4131 – Joseph Minasi (6458-04-661265; 624227)**

Joseph Minasi, 29 Thunder Rd., Hopewell Junction, requesting an appeal from the Zoning Administrators determination of the front yards pursuant to Section 194-14.2 and Local Law #7 of 2022.

**No one was present.**

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

Chairperson Drummond stated they did know that this applicant was not going to be here this month. They were opening the public hearing so that it could be adjourned and did not have to be readvertised.

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

Chairperson Drummond asked if there was anyone from the public who had any questions or comments. There was no one.

**MOTION** made by Rocco Limitone, seconded by Aziz Ahsan, to adjourn this Public Hearing to the March 25, 2025 meeting. Voted and carried unanimously.

### **ADJOURNMENT**

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to adjourn the Zoning Board meeting at 7:27 PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary