

Town of East Fishkill
ZONING BOARD OF APPEALS

JUNE 24, 2025

Chairperson Drummond called the Zoning Board of Appeals to order with a roll call. Those present were Aziz Ahsan, 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 the next meetings will be on Tuesday, July 22, 2025, and Tuesday, August 26, 2025.

MOTION made by Aziz Ahsan, seconded by Rocco Limitone, to approve the minutes of the meeting held May 27, 2025 as amended. Voted and carried unanimously.

Chairperson Drummond stated they did have a quorum even though there are two members absent. There is only one item on the agenda for the meeting, which is a Public Hearing.

PUBLIC HEARING:

PUBLIC HEARING – Appeal 4142 – John McMahon 96356-04-629472)

John McMahon, 37 Circle Drive, Hopewell Junction, requesting a 32' rear yard and a 2' side yard variance for an existing 16x32x5 above ground pool, an 18' rear yard & 6' side yard variance for an existing (310sf.) pool deck, a 14' side line variance for an existing shed and a 22' front line variance for an existing 21'X 6' (126sf) front porch pursuant to Section 194-95 and 194-17 and the Schedule of Bulk Regulations.

John McMahon was present.

MOTION made by Aziz Ahsan, seconded by Art Mahony, to open the Public Hearing. Voted and carried unanimously.

Chairperson Drummond stated they reviewed this application last month. The Board learned that Mr. McMahon was in the armed services, and she thanked him for his service. While he was deployed, his wife had the pool and deck installed without a permit. He has been living in the house for approximately 60 years. They are just trying to clean up the various existing issues. None of these are new. Some of them have even been replaced. She asked if any of the neighbors had ever complained about these structures and Mr. McMahon said no. Chairperson Drummond stated they just needed to be sure that nothing is egregious.

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

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

APPEAL NUMBER: 4142

APPLICANT: John McMahon

NAME OF PROJECT: (i) a 32' rear yard and a 2' side yard variance from the requirements of Section 194-95 of the Town Code and the Schedule of Bulk Regulations for an existing 16'x32'x5' above ground pool; (ii) an 18' rear yard & 6' side yard variance from the requirements Section 194-94 of the Town Code and the Schedule of Bulk Regulations for an existing (310 s.f.) pool deck; (iii) a 14' side line variance from the requirements of Section 194-107 of the Town Code and the Schedule of Bulk Regulations for an existing shed; and (iv) a 22' front line variance from the requirements of Section 194-94 of the Town Code and the Schedule of Bulk Regulations for an existing 21'X6' (126 s.f.) front porch (the "Variances")

LOCATION: 37 Circle Drive, Hopewell Junction, (the "Property")

TAX MAP NUMBER: 6356-04-629472

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member Aziz Ahsan

WHEREAS, the Applicant has lived at the Property for nearly six decades; and

WHEREAS, the Property is located in an R-1 Zone, but it is smaller than one acre, leaving less room at the Property for residential amenities; and

WHEREAS, the house was built prior to the Zoning Code being enacted; and

WHEREAS, the Applicant is working to legalize all existing structures prior to selling the Property; and

WHEREAS, this is a Type II Action under SEQRA; and

WHEREAS, the Legal Notice was published in the Southern Dutchess News on June 18, 2025; and

WHEREAS, the Zoning Board of Appeals held a Public Hearing on June 24, 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 neighborhood as the Property will remain residential in nature and the structures requiring Variances have been located at the Property for many years;

The desired result cannot be achieved by some other means due to the size of the lot;

The Variances are 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 of John McMahon for (i) a 32' rear yard and a 2' side yard variance from the requirements of Section 194-95 of the Town Code and the Schedule of Bulk Regulations for an existing 16'x32'x5' above ground pool; (ii) an 18' rear yard & 6' side yard variance from the requirements Section 194-94 of the Town Code and the Schedule of Bulk Regulations for an existing (310 s.f.) pool deck; (iii) a 14' side line variance from the requirements of Section 194-107 of the Town Code and the Schedule of Bulk Regulations for an existing shed; and (iv) a 22' front line variance from the requirements of Section 194-94 of the Town Code and the Schedule of Bulk Regulations for an existing 21'X6' (126 s.f.) front porch

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 Art Mahony

The votes were as follows:

Board Member Aziz Ahsan	Aye
Board Member Rocco Limitone	Absent
Board Member Alberto Paratore	Absent

Board Member Art Mahony Aye

Chairperson Norma Drummond Aye

ADJOURNMENT

MOTION made by Aziz Ahsan, seconded by Art Mahony, to adjourn the Zoning Board meeting at 7:07 PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary