

TOWN OF ROSENDALE

Zoning Board of Appeals

Final Minutes

Tuesday, January 19th, 2016

Rondout Municipal Center

1915 Lucas Ave.

Cottkill, NY 12419

Chairman, Ann Houghtaling called the meeting to order with the Pledge of Allegiance at 7:07pm.

ROLL CALL:

Ann Houghtaling, Chairman	Present
David Soman	Excused
Richard Hermance	Present
Frank Klepeis	Present
Kelleigh Mckenzie	Present
Michael Camargo (Alt.)	Absent
Stacy Lipari, Town Board Liaison	Present
Brisa Casas, Zoning Board Clerk	Present

Minutes:

Motion made by Frank Klepeis, seconded by Ann Houghtaling, to accept the minutes from the December 15th meeting with the following amendment:

Zoning board member Kelleigh Mckenzie's name should be removed from the minutes, she was excused and not present for the meeting.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Abstain

Motion carried.

Public Hearing:

2015-6-Use Variance- Gerard Swarhout

Gerard Swarhout is present on behalf of his application.

Chair Houghtaling opens the public hearing at 7:11pm.

There is no public present at this time.

The board discusses the following with the applicant on his proposed variance:

- Review of comments from referral to the Ulster County Planning Board.
- Review of comments from referral to Town of Rosendale Highway Superintendent Bob Gallagher.

- The location of pedestrian Rail Trail access near the proposed driveway to the parcel.
- Construction materials from a previous thruway bridge were dumped onto the parcel.
- Feasibility of the parcel being used for what it is zoned. The parcels A Zone indicates agricultural use, however the dumping of man-made materials on the parcel makes this use impractical.
- Will the proposed use alter the physical appearance? The proposed storage of large and medium pieces of bluestone will make a minimal change to the overall physical appearance of the vacant lot.
- Is the alleged hardship unique? The applicant maintains that because of the man-made materials dumped on the parcel, the agricultural use of the land is unattainable, and the location of the parcel running along the NYS Thruway is undesirable for building of a residence. It would also be difficult to place a septic system and well for a residence because of the man-made material dumped on the parcel.

The board requests documentation from the applicant for review:

- Site Plan-which should include accurate measurements of the parcel, the location of the concrete slab, the location of the current driveway and indication of the rail trail pedestrian access location.
- Pictures of the parcel
- Parcel Deed
- Measurements of the proposed driveway.

Motion made by Chair Houghtaling, seconded by Kelleigh Mckenzie, to adjourn this public hearing and keep it open until the February 16th 2016 meeting.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Yes

Motion carried.

No public comments were made on this application.

Old Business: None

New Business:

2015-7- Use Variance- Matt Igoe

Matt Igoe is present on behalf of this application.

Mr. Igoe proposes the use of a parcel, located at 127 Binnewater Road, for farming and a distillery with a store front for the sale of both. The applicant's future residence is also proposed to exist on this same parcel.

Mr. Igoe explains to the board his agricultural background and his future plans for the parcel which includes farming and producing liquor. In his plan it is optimal to use ingredients from the produce grown directly on the parcel. However he informs the board that he may need deliveries of materials for production of alcohol. The deliveries will depend on how bountiful his land is for the season or if he decides to make another form of alcohol, which would need other ingredients not grown on the parcel itself.

The board discusses with Mr. Igoe that it is necessary for him to apply to the Rosendale Planning Board for a Special Use Permit for approval of the use of a farm stand on the parcel to sell produce.

Mr. Igoe says he is aware that he has to apply for a Special Use Permit to the Rosendale Planning Board but would like to first obtain the Use Variance.

Mr. Igoe informs the board that he has previously applied to the Zoning Board of Appeals, he estimates around the year 2012. This previous Use Variance application was also for distilling of alcohol but on a different parcel, located on Hickory Bush Road. Mr. Igoe claims that after the variance was granted by the board the owner of the parcel terminated the agreement and he was left with a variance but not allowed to use the parcel for a distillery.

The board is interested in reviewing this previous application and requests it to be pulled from the files for review.

The board tries to designate the SIC Code for a distillery.

Motion made by Chair Houghtaling, seconded by Kelleigh Mckenzie, to refer this application to the Ulster County Planning Board for review and comments.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Yes

Motion carried.

Motion made by Chair Houghtaling, seconded by Richard Hermance, to set a public hearing for this application on February 16th 2016 at 7:00 pm.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Yes

Motion carried

Misc. Business:

The board discusses organizational items for the year of 2016.

Motion made by Chair Houghtaling, seconded by Kelleigh Mckenzie to recommend appointment of Brisa Casas as the clerk to the Zoning Board of Appeals.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Yes

Motion carried

Motion made by Chair Houghtaling, seconded by Richard Hermance, to recommend MaryLou Christiana be re-appointed as the official attorney to the Zoning Board of Appeals.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Yes

Motion carried

Motion made by Chair Houghtaling, seconded by Kelleigh Mckenzie, to recommend the Daily Freeman, located in Kingston NY, as the official newspaper for Zoning Board publications.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Yes

Motion carried

Motion made by Chair Houghtaling, seconded by Kelleigh Mckenzie, to set the official Zoning Board of Appeals meetings to take place the third Tuesday of each month, at 7:00 pm, at the Rondout Municipal Center located at 1915 Lucas Ave. Cottekill NY 12419.

Roll Vote: Chair Ann Houghtaling- Yes, Richard Hermance – Yes, Frank Klepeis – Yes, Kelleigh Mckenzie - Yes

Motion carried

Correspondence: None

Adjournment:

Motion made by Chair Houghtaling, to adjourn the meeting at 8:37pm

Respectfully Submitted,
Brisa Casas
Zoning Board of Appeals Clerk