

TOWN OF ROSENDALE ZONING BOARD OF APPEALS  
RONDOUT MUNICIPAL CENTER  
1915 LUCAS AVE.  
COTTEKILL, NY 12419

Minutes  
Tuesday, May 17<sup>th</sup> 2022

Chairwoman Ann Houghtaling called the meeting to order at 7:05 pm.

*Roll Call:*

Chairwoman Ann Houghtaling	Present
Gary Jacobson	Present
Kelleigh Mckenzie	Present
Richard Hermance	Excused
Michael Camargo	Excused
Councilwoman Carrie Wykoff	Present
Brisa Casas, ZBA Clerk	Present

*Minutes:*

Motion made by Chairwoman Ann Houghtaling, seconded by Gary Jacobson, to accept the minutes from February 15<sup>th</sup> 2022 with the following amendments:

Page 4, Line 27 – Add the word “not”

Roll Vote: Chairwoman Ann Houghtaling – Yes, Kelleigh Mckenzie –Yes, Gary Jacobson –Yes

Motion carried.

## New Business:

### #2022-2-Area Variance

Applicant: Kim Koeninger

Location: 255 Sawdust Ave

SBL: 62.3-6-25

Zoning District: R1

Acreage: 0.41

Location: 261 Sawdust Ave.

SBL: 62.3-6-24

Zoning District: R1

Acreage: .987

Kim Koeninger is present on behalf of this application.

The following is discussed about this application:

- Kim Koeninger owns 261 Sawdust Ave
- James Gatherer and Emma Kreyche own 255 Sawdust Ave
- Kim would like to give a small piece of her parcel (261 Sawdust) to her neighbor James & Emma (255 Sawdust Ave)
- Both of the parcels are undersized non-conforming
- They would like to do a Lot Line Adjustment to transfer the land but because both of the parcels are undersized/non-conforming to the current Chapter 75 of the Rosendale Town Code: *Density Control Schedule*, they need to be granted an Area Variance first.
- The land that is transferred will be used for a garden and yard at 255 Sawdust
- The proposed land transfer will not result in any physical changes to the parcels.
- 255 Sawdust Ave - .41 acres existing, addition of .20 acres, total amount of acreage after proposed land transfer .61 acres
- 261 Sawdust Ave - .987 acres existing, reduction of .20 acres, total amount of acreage after proposed land transfer .79 acres

Motion made by Kelleigh Mckenzie, seconded by Chairwoman Ann Houghtaling, to set the public hearing for application #2022-2-Area Variance for June 21<sup>st</sup> 2022.

Roll Vote: Chairwoman Ann Houghtaling – Yes, Kelleigh Mckenzie –Yes, Gary Jacobson –Yes

Motion carried.

#2022-3-Area Variance

Applicant: Karin Reynolds

Location: 126 James Street

SBL: 70.26-2-7

Zoning District: R2

Acreage: 0.34

Karin Reynolds and Andrea Kantrowitz are present on behalf of this application.

The following is discussed:

- Karin shows the board a small 3D model of the house with moveable sections showing the proposed additions and decks. The model includes measurements for the required setbacks.
- One of the additions will be for a shared living space (3 season room), the other addition will be for upgrading the master bedroom.
- This parcel is located in an R2 with both Municipal Water & Sewer.
- There is one new deck proposed located between the two additions.
- Chapter 75 of the Rosendale Town Code: *Density Control Schedule* requires a 12.5 ft setback from the side property lines and a 35 ft setback from the front property line in an R2 with both Municipal Water & Sewer.
- Mrs. Kantrowitz submits an email from the neighbor Jose Angel Contreras at 124 James Street. He reviewed the proposed changes to the residence and expressed in the email that he is in support of the proposed additions and deck.
- The other neighboring parcel at 130 James Street is currently vacant and in foreclosure.
- They could place the addition and deck in a different location to meet the required setbacks however it will block the neighbors view of creek and will also make it very challenging and difficult to configure the new interior spaces and the deck.

Motion made by Kelleigh Mckenzie, seconded by Gary Jacobson, to set the public hearing for application #2022-3-Area Variance for June 21<sup>st</sup> 2022.

Roll Vote: Chairwoman Ann Houghtaling – Yes, Kelleigh Mckenzie –Yes, Gary Jacobson –Yes

Motion carried.

#2022-4-Area Variance

Applicant: Peggy Elkins and Paul Vermilyea

Location: 36 Deyo Street

SBL: 70.43-2-1.200

Zoning District: R2

Acreage: 0.50

Peggy Elkins and Paul Vermilyea are present on behalf of this application.

The following is discussed:

- She is requesting the variance to construct a proposed deck on her residence.
- A portion of her back-yard is very wet and most of the time she cannot enjoy it as an outdoor space. She put in drainage but it has not helped much. This deck will help her utilize her outside area without having to walk in saturated grass/mud.
- Chapter 75 of the Rosendale Town Code: *Density Control Schedule* requires a 20 ft setback from the side property lines and a 35 ft setback from the front and rear property line in an R2
- The proposed deck will be 12 ft wide extending off of the existing house.
- The proposed deck will be 27 ft 7 inches from the rear property line.
- If the applicant met the setback requirements, she would only be able to do a 4 ft wide deck, which would not be sufficient for a lounge area to utilize her outdoor space.

Motion made by Chairwoman Ann Houghtaling, seconded by Kelleigh Mckenzie, to set the public hearing for application #2022-4-Area Variance for June 21<sup>st</sup> 2022.

Roll Vote: Chairwoman Ann Houghtaling – Yes, Kelleigh Mckenzie –Yes, Gary Jacobson –Yes

Motion carried.

*Misc:*

Jeff Miller is present; he previously submitted a volunteer application for a Zoning Board alternate position.

Motion made by Chairwoman Ann Houghtaling, seconded by Kelleigh Mckenzie, to recommend Jeff Miller for an alternate board member position on the Rosendale Zoning Board of Appeals.

Roll Vote: Chairwoman Ann Houghtaling – Yes, Kelleigh Mckenzie –Yes, Gary Jacobson –Yes

Motion carried.

*Adjournment:*

Motion made by Chairwoman Ann Houghtaling, seconded by Kelleigh Mckenzie, to adjourn the meeting at 7:56 pm.

Roll Vote: Chairwoman Ann Houghtaling – Yes, Kelleigh Mckenzie –Yes, Gary Jacobson –Yes

Motion carried.

Respectfully submitted,  
Zoning Board of Appeals Clerk  
Brisa Casas