

PRESENT: Margaux Miller Chairwoman, Fredrik Palm, Helen Grosso, Allison G.S. Knox and John F. Harnes Esq.

EXCUSED: Fredrik Palm

CONTENT: Killian Zavala (Area Variance), Tim Martin and Jane Humphreys (Area Variance) and New Business.

Chairwoman Miller opened the meeting at 7:03 p.m. and then led the salute to the flag.

KILLIAN ZAVALA Area Variance ZBA 2023-008
NYS Route 292
Holmes, NY 12531
Grid Number: 134089-6856-00-194793

Chairwoman Miller said the property is located on NYS Route 292 in an R-1 Residential Zoning district. The applicants were asked at the November 27, 2023 Zoning Board of Appeals meeting to stake out the site and submit revised house plans. To date, these items have not been completed. The Board is requesting these items be completed prior to the applicants being placed on the January 2024 meeting. The application has been tabled until the January 24, 2024 meeting.

TIM AND JANE MARTIN Area Variance ZBA 2023-011
82 South Quaker Hill Road
Pawling, NY 12564
Grid Number: 134089-7155-00-318918

Mr. John Penny was present representing the landowner.

Chairwoman Miller said the property is located at 82 South Quaker Hill Road in a CD-5 Residential Zoning district. Chairwoman Miller read the Dutchess County Planning 239 GML response, which indicated this application is exempt from review. This application is a Type II action, according to SEQRA; therefore, no action is necessary by the Board. A site inspection was held on December 16, 2023, with Chairwoman Miller, Allison Knox and then on December 19, 2023 John Harnes Esq. and Helen Grosso.

Mr. Penny explained the landowners are demolishing the car port, with the intentions to renovate a new entry way into the home, and kitchen.

Ms. Grosso explained how the landowners are reducing the maximum coverage on the lot.

Mr. Harnes Esq. said it makes sense to move the kitchen, as the home has low ceilings and doorways. .

Chairwoman Miller opened the meeting to the Public.

There were no comments from the Public.

Motion by Chairwoman Miller to close the Public Hearing.

Second by Mr. Harnes. Chairwoman Miller asked for discussion.

All were in favor and the Motion carried.

Chairwoman Miller said the Zoning Board of Appeals, in making its determination, shall take into consideration the five factors the Board must weigh against the detriment to the health, safety, and welfare of the neighborhood or community.

Mrs. Grosso read the first factor, whether an undesirable change will be produced to the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?

Mrs. Grosso said based upon the site inspection and associated documents presented, there would not be a detriment to the neighborhood.

The members of the Zoning Board of Appeals concurred.

Mrs. Grosso read the second factor, whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance?

Mrs. Grosso said the footprint is being reduced by removing the carport, there are no other feasible methods.

Mrs. Knox said moving the kitchen benefits a safer environment. . Harnes Esq. said there is no other feasible method other than the granting of an area variance.

The members of the Zoning Board of Appeals concurred.

Mrs. Grosso read the third factor, is the variance substantial?

Mrs. Grosso said no the variance is not substantial.

The members of the Zoning Board of Appeals concurred.

Mrs. Grosso read the fourth factor, will there be an adverse effect or impact on physical or environmental conditions in the neighborhood or district?

Mrs. Grosso said there are no adverse environmental impacts to the neighborhood.

Mrs. Miller said the renovations are keeping with the historical features of the home and neighborhood.

The members of the Zoning Board of Appeals concurred.

Mrs. Grosso read the fifth factor, whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance?

Mrs. Grosso said difficulty was not self-created, and does not preclude the granting of an area variance.

Motion by Mrs. Knox granted an area variance to Tim Martin and Jane Humphrey located at 82 South Quaker Hill Road in a CD-5 Residential Zoning District.

- *§215-16 Bulk Regulation in a CD-5 Zoning District for a front yard setback (north corner) where 100 feet is required, 46.5 feet is existing, and a variance of 53.5 feet is requested.*
- *For a front yard setback (southeast corner) where 100 feet is required, 52.2 feet is existing, and a variance of 47.8 feet was granted.*
- *§215-52. F., The required Code of the Town of Pawling Expiration of an Appeal, unless otherwise specified by the Zoning Board of Appeals, a decision on any appeal shall expire if the applicant fails to commence and substantially complete work related to the decisions within two (2) years of the date of such decision.*
- *An as built is required to be submitted to the building department prior to receipt of the Certificate of Occupancy.*

Second by Mrs. Grosso. Chairwoman Miller asked for discussion.

All were in favor and the Motion carried.

KILLIAN ZAVALLA

Area Variance

ZBA 2023-009

NYS Route 29

Holmes, NY 12531

Grid Number: 134089-6856-00-194793

Chairwoman Miler said the property is located at Route 292, consisting of 0.13 acres in an R-1 Residential Zoning district. The applicant was asked to stake out the site for a second site inspection by the members of the Board. On Saturday December 16, 2023, a site inspection was held. The outcome was the site had not been staked out and the requested revised floor plans not submitted for the Boards review. The Board decision was before the applicant could appear before the Board the site must be staked out and submit the requested documents appropriate documents.

The Board has tabled this application until the January 22, 2024 agenda. A time extension letter from the applicants engineer will be requested for the Boards file.

NEW BUSINESS


i. 2024 Meeting Schedule

The Board members approved the meeting calendar for 2024.

ADJOURNMENT

On a Motion by Mrs. Knox and seconded by Mr. Harnes Esq., to adjourn the meeting at 7:30 p.m. All were in favor and the Motion carried.

Respectfully submitted,



JoAnne Daley
Recording Secretary

non-approved minutes