

Town of Ulster
Zoning Board of Appeals
September 6, 2017

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on September 6, 2017 at 7:00 P.M.

Present:

George Carlson

Brian Ilgner

Geoffrey Ring – Chairman

Absent:

Renato DiBella

Frederick Wadnola

A motion to approve the minutes for last month was made by Mr. Carlson with a second from Mr. Ilgner; all in favor.

PUBLIC HEARING

Jesus Torres

Jesus Torres appeared on behalf of Scott Hildebrandt for and application on an Area Variance to place a 6 foot fence in the Town Right of Way. The project had been previously forwarded to the Ulster County Planning Board and the Town of Ulster Highway Superintendent for review. The County commented back stating that the project would have no County impact, but the Highway Superintendent, Frank Petramale, stated that if the fence stayed where it was, both he and the Town could be held liable for damages. Mr. Torres stated that the property owner would be willing to sign a waiver taking responsibility for any damages done. The Zoning Board of Appeals stated that if they allowed this project to be approved it would set precedence and they cannot allow that to happen. Mr. Torres mentioned cutting the fence on Court and Catskill down to 4 feet, but that did not solve the issue of the fence being in the Town Right-of-Way. There was a discussion on other possible options for the fence, but none seemed satisfactory to the property owner. The Board stated that there were No Parking signs present and that if there was an issue with people parking on his property blocking his way, to call the Ulster Police to have it remedied.

Action: A motion to open the Public Hearing was made by Mr. Ring, with a second from Mr. Ilgner; all in favor. A motion to close the Public hearing was made by Mr. Ring with a second from Mr. Carlson; all in favor. A motion to deny this variance was made by Mr. Ilgner, with a second from Mr. Carlson; all in favor.

Del Braswell – Area Variance

The applicant was not present. The application is for an Area Variance to place a 18' x 21' carport within his side setbacks. As neighbors were present in opposition of the proposal, the Public Hearing was opened to hear their comments. A motion to open the Public Hearing was made by Mr. Ring with a second from Mr. Carlson; all in favor. Dominick and Donna Ausanio appeared in opposition of the application. Donna Ausanio resides at 102 Hillside Terrace, the property adjacent to Mr. Braswell's property to which he wants to place the carport. Mr. Ausanio stated that Mr. Braswell's father in-law was the original owner of the property and Mr. Braswell had bought the property with his father in-law still living there. Mr. Ausanio's understanding is that Mr. Braswell wants to place the carport in a location that would position the poles and

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September 6, 2017

overhang would be on their property. Mr. Ausanio stated that he is concerned over zoning compliance to which the Town Building Inspector, Kathryn Moniz, stated that she will be happy to drive by 94 Hillside to make sure everything is in compliance. Mr. Ausanio stated that his ultimate concern is the placement of this carport. Ms. Ausanio stated that the reason they were present at the meeting was because of a discussion had with Mr. Braswell to which she understood that the carport would be no more than poles and a canvas canopy, to which she told him she did not want something like that located next to her house. Ms. Ausanio stated that they understood that the carport would be placed a foot from their property line, but it was explained that Mr. Braswell is proposing 4 feet from the property line (variance of 16 feet.) A brief discussion followed. The Building Inspector stated that if the project was approved, that she would do a pre-site inspection of the property to be sure everything would be on Mr. Braswell's property, not the Ausanio's.

Action: A motion to adjourn the Public Hearing to the October 4th meeting was made by Mr. Ring, with a second Mr. Carlson; all in favor.

PRELIMINARY HEARING

James Augustine – Area Variance

James Augustine appeared on behalf of the application for an area variance to place a shed with a carport attached or a garage within his side setback on 39 Lainey Lane. The setbacks for an R30 Zone are 20' on the side, and Mr. Augustine is asking for a 5' setback (variance of 15'.) Mr. Augustine stated that he still was not sure on whether he wanted a shed with a carport attached, or a garage, but that if he went with a garage he would go with a smaller sized one (18' x 24' (variance of 11') instead of the original 24' x 24' proposal.) A brief discussion followed.

Action: A motion to forward this project to a Public Hearing was made by Mr. Ilgner, with a second from Mr. Ring; all in favor.

A motion to adjourn the meeting was made by Mr. Carlson, with a second from Mr. Ring; all in favor.

Respectfully Submitted,
Gabrielle Perea
Zoning Board Secretary